United States Department of Agriculture

AGRICULTURAL RESEARCH ADMINISTRATION

BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

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SEPARATE

SERVICE AND REGULATORY ANNOUNCEMENTS [1]

OCTOBER-DECEMBER 1950

E.M.N.

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[1] Edited by Ralph W. Sherman, Office of the Assistant Chief in Charge of Regulatory Work.

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QUARANTINE AND OTHER OFFICIAL ANNOUNCEMENTS

ANNOUNCEMENTS RELATING TO COOPERATIVE SUPPRESSION OF PLANT DISEASES AND INSECT PESTS

TITLE 7—AGRICULTURE

CHAPTER III—BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

PART 303—COOPERATIVE SUPPRESSION OF PLANT DISEASES AND INSECT PESTS

Subpart—Golden Nematode Suppressive Program, 1950 Season

Pursuant to the authority vested by section 6 of the Golden Nematode Act (7 U. S. C., Supp. 3, 150e; 62 Stat. 442), and having determined that the State of New York, through legislation, appropriations, and quarantine regulations has taken action and provided funds and means to carry out effectively a cooperative program to suppress, control, and prevent the spread of the known infestation of the golden nematode in accord with the other provisions of the Golden Nematode Act, the Secretary of Agriculture of the United States and the Commissioner of Agriculture and Markets of the State of New York cooperatively determined that the following procedures and rates shall be used in compensating growers in the portion of Long Island, N. Y., where the golden nematode is known to occur for carrying out a program for the control and suppression of this nematode during the 1950 season:

Sec.
303.1 Compensation only to nongrowers of potatoes.
303.2 Compensation to nonowners of land involved.
303.3 Compensation to owner-operators.
303.4 Agreement and voucher forms.

Authority: §§ 303.1 to 303.4 issued under 62 Stat. 443; 7 U. S. C., Supp., 150e.

§ 303.1 *Compensation only to nongrowers of potatoes.*—Compensation will be paid only to those growers who refrain from planting potatoes on land infested or exposed to infestation by the golden nematode, and who grew on such lands only such crops as were approved by the Department of Agriculture and Markets of the State of New York.

§ 303.2 *Compensation to nonowners of land involved.*—The State of New York, through its Commissioner of Agriculture and Markets, will assume full responsibility for and make the entire compensation payments to growers who refrained from planting potatoes on land which was infested or exposed to infestation by the golden nematode and which was not owned by such growers within the limitations imposed by the provisions of Chapter 321 of the Laws of 1949, of the State of New York.

§ 303.3 *Compensation to owner-operators.*—(*a*) *Apportionment of losses.* Losses to owner-operators of lands infested by or exposed to the golden nematode who refrained from growing potatoes shall be borne by the United States Department of Agriculture, the Department of Agriculture and Markets of the State of New York, and the owner-operator.

(*b*) *Joint payments by Federal and State governments.*—The full and uniform amount to be paid jointly by the United States Department of Agriculture and the Department of Agriculture and Markets of the State of New York to each owner-operator of lands infested by or exposed to the golden nematode shall be at the rate of $120 per acre, divided equally between the two named agencies. The payment of $120 will be made only to owners who have complied in good faith with all regulations concerning the golden nematode promulgated by the United States Department of Agriculture and the Department of Agriculture and Markets of the State of New York.

(c) *Computation of payments.*—It has been determined that, based on (1) the estimated value of crops that were approved by the Department of Agriculture and Markets of the State of New York for production on lands infested by the golden nematode, (2) an analysis of the average cost of producing potatoes in Nassau County, Long Island, N. Y., (3) the average annual yield of potatoes in said Nassau County, and (4) the estimated sale value of potatoes in that area, the joint compensation of $120 per acre will not be more than two-thirds of the total loss accruing to the owner-operator.

§ 303.4 *Agreement and voucher forms.*—As a condition of payment each owner-operator shall enter into an agreement with the Department of Agriculture and Markets of the State of New York, which shall be executed at least in duplicate. One fully executed copy of the agreement and a certificate by a responsible officer of the Department of Agriculture and Markets of the State of New York, both of which shall be substantially in the form appended hereto, shall be attached to and made a part of each voucher (Standard Form 1034) executed by a grower seeking to receive compensation from the United States Department of Agriculture. The purpose of the voucher shall be stated substantially as follows:

"One-half of compensation for refraining from planting potatoes on _____ acres of land infested by or exposed to the golden nematode."

Agency designated to act for Federal Government.—The Bureau of Entomology and Plant Quarantine of the United States Department of Agriculture is hereby authorized to carry out, on behalf of the Federal Government, the cooperative program to suppress, control, and prevent the spread of the golden nematode.

Agent of Secretary of Agriculture to determine eligibility for payment.—Harry L. Smith, In Charge, Division of Golden Nematode Control, Hicksville, Long Island, N. Y., working under the direction of the Chief of the Bureau of Entomology and Plant Quarantine of the United States Department of Agriculture, is hereby designated as the authorized agent of the Secretary of Agriculture in determining eligibility for compensation under the regulations in this subpart and approving the amount of compensation to be provided by the United States Department of Agriculture to any owner-operator who refrained from planting potatoes during 1950.

Enabling legislation by the State of New York authorizing State cooperation, required by section 4 of the Golden Nematode Act as a requisite for Federal participation, was approved March 28, 1949, and regulations pertaining to the cooperative program to suppress the Golden Nematode for the 1949 season became effective September 7, 1949, 7 CFR, Supp., § 303.1–4. The program to suppress the golden nematode was cooperatively reviewed November 17, 1949, and it was jointly agreed that for the season of 1950 the procedures followed in the 1949 season would be continued but that the rate of compensation paid to each owner-operator of lands infested by or exposed to the golden nematode would be reduced to the rate of $120 per acre. Information in reference to this proposed change was presented to the land owners in advance of planting operations. At the same time the land owners were informed that the agreement form required by the State of New York for use during the 1949 season would be used during the 1950 season by the land owners who refrained from growing potatoes exposed to golden nematode infestation. Land owners recognized the value of the program for suppressing, controlling, and preventing the spread of the golden nematode and that it was necessary to continue during the 1950 season the regulations adopted for the 1949 season. Compliance with the provisions of the regulations is not obligatory, but confers a benefit upon eligible growers. Accordingly, pursuant to the provisions of section 4 of the Administrative Procedure Act (5 U. S. C. 1003), it is found, upon good cause, that further notice and public procedure on these regulations are unnecessary, impracticable, and contrary to the public interest, and good cause is found for their issuance effective less than 30 days after publication.

These regulations shall be effective December 18, 1950, and shall supersede 7 CFR, Supp., § 303.1–1 to 303.1–4, inclusive, effective September 7, 1949.

Done at Washington, D. C., this 13th day of December 1950.

[SEAL] C. J. McCORMICK,
Acting Secretary of Agriculture,

Concurred with, November 21, 1950:

C. CHESTER DUMOND,
Commissioner of Agriculture and Markets, State of New York.

[Filed with the Division of the Federal Register, December 18, 1950, 8:54 a. m.; 15 F. R. 9031.]

AGREEMENT FOR THE CONTROL AND PREVENTION OF THE GOLDEN NEMATODE DISEASE OF POTATOES (*Heterodera rostochiensis*)

This Agreement, made this _____ day of _____, 1950, by and between the People of the State of New York, acting by and through C. Chester Du Mond, Commissioner of Agriculture and Markets of the State of New York, party of the first part, hereinafter called the "State," and _____ of the Town of _____, County of _____, State of New York, and whose P. O. address is _____, party of the second part, hereinafter called the operator.

Witnesseth:

Whereas, it is desired to control and prevent the spread of the golden nematode disease of potatoes (*Heterodera rostochiensis*), and

Whereas, the Commissioner of Agriculture and Markets has determined that the lands hereinafter described are operated by the party of the second part, and

Whereas, the Commissioner of Agriculture and Markets has determined the said lands to be infected or dangerously exposed to infection or infestation by such nematode disease, and

Whereas, the Commissioner of Agriculture and Markets, after full consideration of all the facts surrounding the former use and occupation of such lands, and the relationship of such use to the effective control of the golden nematode disease, and after conference with the operators involved, has determined that the sum of _____ dollars, is fair compensation for the rental value of the lands hereinafter described, and

Whereas, it is the desire of both parties that such lands shall receive appropriate treatment designed to purify them and suppress such disease.

Now, Therefore, pursuant to the authority of Chapter 663 of the Laws of 1947 and acts amendatory thereof, and Article 14 of the Agriculture and Markets Law of the State of New York, and in further consideration of the premises and the mutual covenants of the parties hereto, it is mutually agreed as follows:

1. Upon full compliance by the operator with all of the terms, conditions and covenants to be by him performed as herein provided, the State shall pay to the operator, as compensation therefor, at the rate of _____ Dollars ($_____) per acre as rental value thereof for the lands hereinafter described, amounting in the aggregate to the sum of _____ Dollars ($_____).

2. That the operator shall submit such lands to the full control and direction of the State and more particularly the Department of Agriculture and Markets of the State of New York, its agents, employees, and any person or agency to be designated by it, for the purpose of carrying out the program for the control and suppression of the golden nematode disease of potatoes during the growing year of 1950.

3. That such lands shall not be used for the growing of potatoes during the ensuing growing season.

4. That the operator shall during such season grow on said lands only such crops as shall be first approved by the Department of Agriculture and Markets of the State of New York.

5. That the operator shall cooperate at all times and in all respects as directed by the Department of Agriculture and Markets of the State of New York, its agents, employees, and any other person or agency duly designated by it in the program to be initiated and carried out for the control and suppression of golden nematode disease of potatoes during the life of this contract.

6. It is mutually understood and agreed that no liability shall accrue against the State of New York or the Commissioner of Agriculture and Markets of the State of New York or the United States of America or the Secretary of Agriculture of the United States or either of them, arising out of the program for control authorized by this agreement, except for the payment of the compensation hereinabove provided.

7. It is mutually understood and agreed that this contract shall be deemed executory only to the extent of the moneys appropriated and available therefor.

8. This agreement shall bind the executors, administrators, trustees, distributees, successors and assigns of the operator.

9. It is mutally understood and agreed that the lands subject to the provisions and conditions of this agreement are more particularly described as follows, and the party of the second part hereto expressly represents, warrants and declares he is the operator thereof.

All that certain parcel and acreage of lands, situate in the town of_____, County of Nassau, State of New York, described upon the assessment rolls of Nassau County, as follows:

Section	Block	Lot	Acres

All that certain parcel and acreage of lands situate in the Town of_____, County of Suffolk, State of New York, described as follows:

In Witness Whereof, the parties hereto have caused this agreement to be executed the day and year first above written, in counterparts.

THE PEOPLE OF THE STATE OF NEW YORK,

_____ _____,

Commissioner of Agriculture and Markets of the State of New York.

Witness:

Operator

ALBANY, NEW YORK, _____ 1950.

I, C. Chester Du Mond, Commissioner of Agriculture and Markets of the State of New York, do hereby certify that the party of the second part named in the within instrument has fully complied with all the terms, conditions and covenants to be by him performed as in the within instrument provided; that the acreage subject to compensation as above provided for is true and accurate; that said party of the second part is thereby entitled to the sum of _____ Dollars ($_____) per acre as rental value as determined by me to be fair for_____ acres making in all the sum of _____ Dollars, no part of which has been paid, and payment of said $_____ is hereby approved and allowed.

_____ _____,

Commissioner of Agriculture and Markets of the State of New York.

ANNOUNCEMENTS RELATING TO HAWAIIAN FRUIT AND VEGETABLE QUARANTINE (NO. 13)

B. E. P. Q. 481, Revised — Effective December 10, 1950

VAPOR-HEAT TREATMENT APPROVED AS A CONDITION FOR CERTIFICATION OF PINEAPPLES UNDER HAWAIIAN FRUIT AND VEGETABLE QUARANTINE NO. 13

In accordance with 7 CFR § 301.13–4 (b) of the regulations supplemental to Hawaiian Fruit and Vegetable Quarantine No. 13, the vapor-heat treatment designated in B. E. P. Q. 481, Revised, effective August 10, 1950, as an administratively approved procedure that meets the requirements for certification for interstate movement from Hawaii of certain fruits and vegetables is extended to be applicable to pineapples in addition to the fruits and vegetables heretofore specified. Other than the addition of pineapples to the list of fruits and vegetables that may be treated by vapor-heat as a condition of certification, no change is made by this revision of B. E. P. Q. 481.

In tests and experiments conducted with pineapples subsequent to the issuance of the revision of B. E. P. Q. 481, effective August 10, 1950, no injury to the fruit, flavor, or aroma appeared following the treatment when appropriate temperature and humidity were used in advance of the prescribed treating period. The inspector will advise on these matters and designate the period that may be used in advance of the prescribed holding period of 8¾ hours.

This approval shall be effective December 10, 1950.

(Sec. 8, 37 Stat. 318, as amended, 7 U. S. C. 161; 7 CFR 301.13–4 (b))

Done at Washington, D. C., this 5th day of December 1950.

S. A. ROHWER,

Acting Chief, Bureau of Entomology and Plant Quarantine.

ANNOUNCEMENTS RELATING TO NURSERY STOCK, PLANT, AND SEED QUARANTINE NO. 37

B. E. P. Q.—Q. 37

Revision of Quarantine and Regulations
Effective December 5, 1950

TITLE 7—AGRICULTURE

AGRICULTURAL RESEARCH ADMINISTRATION

CHAPTER III—BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

PART 319—FOREIGN QUARANTINE NOTICES

NURSERY STOCK, PLANT, AND SEED QUARANTINE NO. 37

On July 13, 1950, there was published in the Federal Register (15 F. R. 4443)' a notice of proposed rule making concerning amendments of notice of quarantine No. 37 and supplementary regulations, as amended (7 CFR and 1949 Supp. 319.37 through 319.37–25, as amended 15 F. R. 1585, 2100). Pursuant to the authority vested in the Secretary of Agriculture by sections 1, 5, and 7 of the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. and Supp. III 154, 159, 160) and section 3 of the Insect Pest Act of March 3, 1905 (7 U. S. C. 143 et seq.), and after public hearing and due consideration of all relevant matters presented thereat or pursuant to the aforesaid notice, said quarantine and regulations are hereby further amended to read as follows:

Sec.

319.37 Notice of quarantine.
319.37a Administrative instructions exempting sterile cultures of orchid seedlings in glass containers.
319.37–1 Definitions.
319.37–2 Restricted plant material enterable without individual permits.
319.37–2a Administrative instructions exempting certain restricted articles.
319.37–3 Bulbs.
319.37–4 Seeds.
319.37–5 Restricted plant material from Canada.
319.37–6 Restricted plant material generally.
319.37–7 Costs and charges.
319.37–8 Inspection; freedom from plant pests.
319.37–9 Treatment.
319.37–10 Importation by mail.
319.37–11 Notice of arrival.
319.37–12 Applications for and issuance of permits.
319.37–13 Certification.
319.37–14 Marking of containers.
319.37–15 Freedom from soil.
319.37–16 Approved packing materials.
319.37–16a List of approved packing materials and instructions for their use.
319.37–17 Prohibited plant material accompanying restricted plant material.
319.37–18 Size-age limitations.
319.37–19 Postentry quarantine.
319.37–20 Plant material refused entry.
319.37–21 Ports of entry.
319.37–22 Importations for exportation and importations for transoprtation and exportation.
319.37–23 Importations by the Department of Agriculture.
319.37–24 Cooperation with States.
319.37–24a Administrative instructions restricting issuance of permits for importation of citrus seeds.
319.37–25 Insects imported for scientific and educational purposes.

§ 319.37 *Notice of quarantine.*—(*a*) Under the authority conferred by section 5 of the Plant Quarantine Act (7 U. S. C. 159) and having given the public hearing required thereunder, the Secretary of Agriculture hereby determines that the unrestricted importation from any foreign country or locality, of field-grown florists' stock, trees, shrubs, vines, cuttings, grafts, scions, or buds, or fruit pits or other seeds of forest, fruit, or ornamental trees or shrubs; or bedding plants; or other herbaceous plants, bulbs, or roots; or field, vegetable, or flower seeds; or other plants or plant products for, or capable of, propagation may result in the entry into the United States (including the District of Columbia) and its Territories, of injurious plant diseases and insect pests. Hereafter all such nursery stock, and other plants and plant products, except those designated in paragraph (b) of this section, shall be subject to all the provisions of sections 1 through 4 of the Plant Quarantine Act (7 U. S. C. and Supp. III 154, 156, 157, 158) and shall not be imported into the United States (including the District of Columbia) or its Territories, except as provided in the regulations supplemental to this section: *Provided,* That whenever the Chief of the Bureau of Entomology and Plant Quarantine shall find that existing conditions as to the pest risk involved in the importation of any of the above-designated nursery stock, other plants or plant products to which the regulations supplemental hereto apply, make it safe to modify, by making less stringent, the restrictions contained in any such regulations,

he shall set forth and publish such findings in administrative instructions, specifying the manner in which the regulations should be made less stringent, whereupon such modification shall become effective; *Provided further,* That this quarantine shall not apply to nursery stock or other plants or seeds covered by special quarantines or other restrictive orders now in force or which may later be promulgated.

(*b*) Under the authority conferred by section 7 of the Plant Quarantine Act (7 U. S. C. 160) and having given the public hearing required thereunder, the Secretary of Agriculture hereby determines that, in order to prevent the introduction into the United States of certain tree, plant, and fruit diseases, and injurious insects, new to or not heretofore widely prevalent or distributed within and throughout the United States, it is necessary to prohibit, and he hereby does prohibit, the importation into the United States, except by the United States Department of Agriculture for experimental or scientific purposes, of the following nursery stock and other plants and plant products from the foreign countries and localities hereinafter designated, because of the injurious insects or diseases therewith listed:

Plant material [2]	Foreign country or countries from which prohibited	Injurious insect or plant disease determined as existing in the country or countries named and capable of being transported in the prohibited plant material
Abies spp	All foreign countries except Canada.	50 or more species of rusts.
		Phomopsis pseudotsugae Wilson (Douglas fir canker).
		Chrysomyxa abietis (Wallr.) Ung. (A rust causing a serious needle disease).
Acacia spp	Australia and Oceania	*Uromycladium tepperianum* (Sacc.) McAlp. (Rust).
Acer spp	Japan	*Xanthomonas acernea* (Ogawa) Burk (Leaf disease).
	Bulgaria, England, France, Germany and Japan.	Maple-variegation virus.
Aesculus spp	Czechoslovakia, England and Germany.	Horsechesnut-variegation virus.
Aleurites spp	China and Brazil	*Mycosphaerella aelluritidis* (Miyake) Ou (Leaf spot).
Althaea spp	India	Hollyhock yellow-vein mosaic virus
	Africa	*Ruga gossypii* (Cotton leaf-curl virus).
Anemone spp	Germany	*Galla anemones* Holmes (Anemone-Alloiophylly virus).
Berberis spp. (plants of all species and horticultural varieties not designated as resistant to black stem rust in accordance with 7 CFR 1949 Supp. 301.38–5 or amendments thereof).	All foreign countries	*Puccinia graminis* Pers. (Black-stem rust).
Berberis spp. (plants of all species and horticultural varieties designated as resistant to black stem rust in accordance with 7 CFR 1949 Supp. 301.38–5 or amendments thereof).	All foreign countries when destined to the eradication states designated in 7 CFR 1949 Supp. 301. 38–3 or amendments thereof.	Do.
Berberis spp. seed	All foreign countries	Do.
Castanea spp	All foreign countries when destined to California, Idaho, Oregon, or Washington.	*Endothia parasitica* (Murr.) Ander. and Ander. (Chestnut bark disease).
Castanopsis spp	All foreign countries when destined to California, Idaho, Oregon or Washington.	Do.
Cedrus spp	Europe	*Phomopsis pseudotsugae* Wilson (Douglas fir canker).
		Fusarium fuliginosporum Sibilia (seedling disease).
Corylus spp	Canadian provinces east of Manitoba, when destined to California, Oregon, or Washington.	*Cryptosporella anomala* (Pk.) Sacc. (Filbert blight).
Cytisus spp	Bulgaria, England and Germany.	*Marmor laburni* Holmes (Laburnum-mosaic virus).
Daphne spp	New Zealand	Daphne mosaic virus.
Datura spp	India	*Datura-mosaic virus.*
	England	*Daturavirus* 1 Smith and d'Oliveira (Datura-Virosis virus).
		Marmor tabaci var, *deformans* Holmes (Enation-mosiac strain of tobacco-mosaic virus).

See footnote at end of table.

Plant material [2]	Foreign country or countries from which prohibited	Injurious insect or plant disease determined as existing in the country or countries named and capable of being transported in the prohibited plant material
Dianthus spp.	England	*Verticillium cinerescens* Wr.
Eucalyptus spp.	Argentina	*Leaf chlorosis virus.*
	Ceylon, Europe, and Uruguay.	*Pestalotia disseminata* Thuem. (Parasitic leaf fungus).
Euonymus spp.	Germany	*Marmor euonymi* Holmes (Euonymus-mosaic virus).
Fraxinus spp.	Europe	*Pseudomonas savastanoi* var. *fraxini* (Brown) Dowson (Canker and dwarfing disease of ash).
Fruit and Nut Stocks except stocks imported for the vegetative propagation of the stocks themselves.	All foreign countries except Canada.	A diversity of plant pests.
Gladiolus spp.	Africa	*Puccinia mccleanii* Doidge.
		Uredo gladioli-buettneri Bub.
		Uromyces gladioli P. Henn.
		U. nyikensis Syd.
		U. transversalis (Theum.) Wint. (Rusts).
Gossypium spp.	All foreign countries	*Ruga gossypii* Holmes (Cotton leaf-curl virus).
Hibiscus spp.	India	*Yellow-mosaic virus of okra.*
	Sudan and Nigeria	*Ruga gossypii* Holmes (Cotton leaf-curl virus).
	Trinidad	*Mosaic-disease virus of okra.*
Hydrangea spp.	Germany	*Hydrangea-virescence virus.*
Ilex spp.	England and France	*Ilex-variegation virus.*
Jasminum spp.	Belgium, England, and Germany.	*Jasmine-variegation virus.*
Juniperus spp.	Finland and Rumania	*Exosporium deflectens* Karst. (needle-cast disease).
Laburnum spp.	Bulgaria, England, and Germany.	*Marmor laburni* Holmes (Laburnum-mosaic virus).
Larix spp.	Europe	*Phomopsis pseudotsugae* Wilson (Douglas fir canker).
Ligustrum spp.	Germany	*Marmor ligustri* Holmes (Ligustrum-mosaic virus).
Mahoberberis spp. (plants of all species and horticultural varieties not designated as resistant to black stem rust in accordance with 7 CFR 1949 Supp. 301.38–5 or amendments thereof).	All foreign countries	*Puccinia graminis* Pers. (Blackstem rust).
Mahoberberis spp. (plants of all species and horticultural varieties designated as resistant to black stem rust in accordance with 7 CFR 1949 Supp. 301.38–5 or amendments thereof).	All foreign countries when destined to the eradication States designated in 7 CFR 1949 Supp. 301.38–3 or amendments thereof.	Do.
Mahoberberis spp. seed	All foreign countries	Do.
Mahonia spp. (plants of all species and horticultural varieties not designated as resistant to black stem rust in accordance with 7 CFR 1949 Supp. 301.38–5 or amendments thereof).	do	Do.
Mahonia spp. (plants of all species and horticultural varieties designated as resistant to black stem rust in accordance with 7 CFR 1949 Supp. 301.38–5 or amendments thereof).	All foreign countries when destined to the eradication states stem designated in 7 CFR 1949 Supp. 301.38–3 or amendments thereof.	Do.
Mahonia spp. seed	All foreign countries	*Puccinia graminis* Pers.
Malus spp. (except stocks for vegetative propagation of stocks).	Austria	*Diaporthe mali* Bres. (Leaf, branch and fruit fungus).
	China	*Valsa mali* Miyabe and Yamada ex M. Miura (Branch canker fungus).
	Europe	*Monilinia fructigena* (Aderh. and Ruhl.) Honey (Brown rot of fruit).
	Japan	Do.
		Valsa mali Miyabe and Yamada ex M. Miura (Branch canker fungus).

See footnote at end of table.

Plant material [2]	Foreign country or countries from which prohibited	Injurious insect or plant disease determined as existing in the country or countries named and capable of being transported in the prohibited plant material
Malus spp., etc.—Continued	Korea	*Physalospora piricola* Nose (Leaf, branch and fruit fungus).
	Manchuria	*Monilinia fructigena* (Aderh. and Ruhl.) Honey (Brown rot of fruit).
Malus spp	South Africa	Do.
		Mottle leaf or mosaic chlorosis of apple (Virus).
Mangifera spp. seeds	All foreign countries except those in the Western Hemisphere.	*Sternochetus mangiferae* F. (Mango weevil).
Morus spp	China and Japan	Mulberry mosaic virus.
Nicotiana spp	Australia and Great Britain	*Marmor lethale* Holmes (Tobacco-necrosis virus).
Nut and Fruit Stocks	(See Fruit and Nut Stocks.)	
Pelargonium spp. (except stem cuttings).	All foreign countries except Canada.	Do.
Picea spp	Europe, Japan, and Siberia.	*Chrysomyxa rhododendri* (DC) D By. (Rust causing a serious needle disease).
	Europe	*Phomopsis pseudotsugae* Wilson (Douglas fir canker).
Pinus spp. (2- or 3-leaved)	Europe and Japan	*Cronartium flaccidum* (Alb. and Schwein) Wint. (Rust causing serious stunting of hard pines).
	Japan	An undescribed gall-forming rust.
Pinus spp. (5-leaved)	All foreign countries when destined to states designated as noninfected in 7 CFR 301.63-3a or amendments thereof.	*Cronartium ribicola* Fischer (White-pine blister rust).
Populus spp	Europe	*Pseudomonas rimaefaciens* Koning (Canker).
Primula spp	Australia and Great Britain	*Marmor lethale* Holmes (Tobacco-necrosis virus).
Prunus spp	Germany	Pox-disease virus of sweet cherry.
	Switzerland	Rigi cherry disease virus.
Prunus spp. (except stocks for vegetative propagation of stocks)	Europe, Asia, Africa, Oceania (including Australia, and New Zealand).	A diversity of plant diseases.
Prunus spp	All foreign countries, except Canada, when destined to California.	Do.
Pseudotsuga spp	Europe	*Phomopsis pseudotsugae* Wilson (Douglas fir canker).
Pyrus spp. (except stocks for vegetative propagation of stocks).	Europe, Japan, Manchuria, and South Africa.	*Monilinia fructigena* (Aderh. and Ruhl.) Honey (Brown rot of fruit).
	Japan and China	*Gymnosporangium haraeanum* Syd. (R st).
		Gymnosporangium japonicum Syd. (Rust).
	Korea	*Physalospora p'ricola* Nose (Leaf, branch and fruit disease).
Quercus spp	Japan	*Stereum hiugense* Imazeki (white rot); and an undescribed gall forming rust.
Ribes nigrum (both plants and seeds).	All foreign countries when destined to States designated as noninfected in 7 CFR 301.63-3a or amendments thereof.	*Cronartium ribicola* Fischer (White-pine blister-rust).
Ribes nigrum	England and New Zealand	*Aphelenchoides ribes* (Taylor 1917) Goodey 1923 (Black currant eel-worm).
	British Isles	*Acrogenus ribis* Burk. (Black currant reversion disease virus).
Rosa spp	Australia, Italy, and New Zealand.	*Marmor flaccumfaciens* Holmes (Rose wilt virus).
Salix spp	England and The Netherlands	*Bacterium salicis* Day (Watermark disease).
Seeds of all kinds when in pulp	All foreign countries	Fruitflies.
Sorbus spp	Germany	*Pyrus disease virus No. 1.*
	China, Japan, Southeastern Asia, Philippine Islands, Oceania (including Australia and New Zealand).	*Taphrina piri* Kusano (Leaf distortion fungus).
Vitis spp	Europe	*Marmor viticola* Holmes (Vine-mosaic virus).
Wisteria	Australia	Mosaic disease.

[2] The term "spp.," as used after a generic name in this subpart, includes all species, varieties, and hybrid of the genus. Unless otherwise specifically indicated, all items of plant material appearing in this subpart refer to the plants as well as all vegetative parts thereof, including buds, cuttings, scions, and layers, but seeds are not included unless specifically mentioned.

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§ 319.37a *Administrative instructions exempting sterile cultures of orchid seedlings in glass containers from some of the requirements of nursery stock, plant, and seed quarantine regulations.*—Sterile cultures of orchid seedlings in glass containers may be imported into the United States without further permit other than the authorization contained in this paragraph, but subject to the conditions and requirements of § 319.37–2. [B. E. P. Q. 584, 14 F. R. 7288, Dec. 6, 1949; 7 CFR, 1949 Supp. 319.37a.]

RULES AND REGULATIONS

319.37–1 *Definitions.*—Words used in the singular form in the regulations in this subpart shall be deemed to import the plural, and vice versa, as the case may demand. For the purposes of § 319.37 to 319.37–27 the following words shall be construed, respectively, to mean:

(*a*) *Chief of Bureau.*—The Chief of the Bureau of Entomology and Plant Quarantine, or any officer or employee of the Bureau to whom authority has heretofore been delegated or may hereafter be delegated to act in his stead.

(*b*) *Bureau.*—The Bureau of Entomology and Plant Quarantine, United States Department of Agriculture.

(*c*) *Inspector.*—Any person authorized by the Secretary of Agriculture of the United States to enforce the provisions of the Plant Quarantine Act.

(*d*) *Person.*—Any individual, firm, corporation, company, society, association, or other organized group of any of the foregoing.

(*e*) *Importer.*—The permittee, agent of the permittee, or other person bringing to the United States plant material which is subject to the quarantine and regulations in this subpart.

(*f*) *Plant pest.*—Any living stage of the numerous small invertebrate animals belonging to the phylum Arthropoda (as, for example, insects, mites, ticks, centipedes, etc.), any form of elongated invertebrates lacking appendages, commonly referred to as worms (as, for example, nematodes), any form of protozoa, any form of fungi (as, for example, rusts, smuts, molds, and yeasts), any form of bacteria, any form of viruses, or any form of similar or allied organisms, which can directly or indirectly injure or cause disease in plants or parts thereof.

(*g*) *Restricted plant material.*—Any living material the entry of which is not prohibited by any quarantine or order, and which is not restricted entry by any other quarantine or order, which is imported, offered for entry into, or arrives within the territorial limits of, the United States.

(*h*) *Bulbs.*—The tubers of species of Anemone, Begonia, Cyclamen, Gloxinia, Ranunculus, and Eranthis, and the underground portions of plants of the botanical families Amaryllidaceae, Iridaceae, and Liliaceae, including bulbs, corms, rhizomes, tubers, pips, fleshy roots or other underground growths, a unit of which when planted produces an individual plant.

(*i*) *Seeds.*[3]—The mature ovular bodies produced by flowering plants, containing embryos capable of developing into new plants by germination.

(*j*) *Fruit and nut plants.*—Woody plants grown commercially for their edible fruiting parts, such as apples, grapes, almonds, and currants, but not such as mulberry, oak, and ginkgo.

(*k*) *Fruit and nut stocks.*—Plants which are to be budded or grafted with buds or scions of fruit or nut plants as distinguished from fruit and nut plants which are to be grown on for what they are.

(*l*) *Permit.*—A form of authorization to allow the inportation of restricted plant material in accordance with the regulations in this subpart.

(*m*) United States.—The continental United States, Alaska, Hawaii, Puerto Rico, and the Virgin Islands of the United States.

(*n*) Europe.—The Continent of Europe, the British Isles, and the other Islands on the European continental shelf.

(*o*) *Treatment.*—Fumigation or any other process involving the application of a gas, dry or moist heat, chemicals, low temperatures, etc., excision of infected parts, or any other processing of plants or parts of plants including bulbs and seeds, that is designed to eliminate or control any infestation or infection by a plant pest.

§ 319.37–2 *Restricted plant material enterable without individual permits.*—Restricted plant material (except Aglaonema) which is imported for food, analytical, medicinal, or manufacturing purposes, and seed specified in § 319.37–4 (a) may be entered without further permit other than the authorization contained

[3] Compliance by the importer with rules and regulations under the Federal Seed Act (7 U. S. C. 1551 et seq.) administered by the Production and Marketing Administration, U. S. Department of Agriculture, may also be required with respect to the importation of certain seeds which is regulated by the provisions of that Act.

in this section but subject to the conditions and requirements outlined in §§ 319.37-7, 319.37–8, 319.37–9, 319.37–11, 319.37–15, 319.37–16, 319.37–17, and 319.37–20; *Provided*, That the inspector may waive the inspection provided for in § 319.37–8 for any shipment when in his judgment such inspection is unnecessary.

§ 319.37–2a *Administrative instructions exempting certain restricted articles.*—The following articles are hereby exempted from the requirements of the regulations specified below:

Restricted plant material (except Aglaonema) for food, analytical, medicinal, or manufacturing purposes, enterable under § 319.37–2, is hereby exempted from the notice of arrival requirements of § 319.37–11.

All seeds of field crops, vegetables, and annual, biennial and perennial flowers which are essentially herbaceous in character (except seeds of Lathyrus, Vicia, and okra), enterable under § 319.37–4, are hereby exempted from the notice of arrival requirements of § 319.37–11 when the inspector at any port shall find and shall so inform the importers concerned that equivalent information is obtainable from ships' manifests or other sources and that the notice of arrival requirements are being waived.

All grains and cereals from Canada which are restricted plant material enterable under § 319.37–2 are hereby exempted from the provisions of §§ 319.37–7, 319.37–8, 319.37–9, 319.37–11, 319.37–15, and 319.37–16, relating respectively to costs and charges, inspection, treatment, notice of arrival, freedom from soil, and approved packing materials. [B. E. P. Q. 576, revised, 15 F. R. 1196, Mar. 4, 1950]

§ 319.37–3 *Bulbs.*—Bulbs may be imported in accordance with the requirements of §§ 319.37–7, 319.37–8, 319.37–10 through 319.37–17, and 319.37–20, except that entry will be refused to bulbs found upon inspection to contain injurious pests which may not be destroyed by treatment. Treatment of bulbs will be required when an inspector's examination discloses that, in his opinion, treatment is feasible to destroy infestations or infections of living plant pests. When treatment is required, the inspector shall prescribe a method of treatment for such bulbs in accordance with administratively authorized procedures known to be effective under the conditions under which they are applied. An inspector at a port not having special inspection or treating facilities may require shipments of bulbs to be transported in bond to a port with such facilities for inspection and treatment under such safeguards as he may prescribe.

Neither the Department of Agriculture nor the inspector shall be deemed responsible for any adverse effects of any such treatment.

The inspector may refuse entry to any bulbs which at the time of inspection at the port of entry are of such nature or are in such condition that, in his judgment, they cannot be treated without substantial injury.

The inspector may determine whether he will inspect bulbs on the piers or at special inspection facilities, and whether the entire shipment or any parts thereof as designated by him shall be transferred from the piers to special inspection facilities for inspection.

§ 319.37–4 *Seeds.*—(*a*) *Seeds importable without individual permits.*—Seeds of field crops, vegetables, and annual, biennial and perennial flowers which are essentially herbaceous in character, except seeds of Lathyrus, Vicia, and okra, may be imported into the United States without further permit other than the authorization contained in this paragraph but subject to the conditions and requirements of § 319.37–2.

(*b*) *Seeds importable under permit.*—All seeds not under paragraph (*a*) of this section, not prohibited entry in § 319.37 or any other quarantine, and not restricted in any other quarantine, and including seeds of Lathyrus, Vicia, and okra, which are free from pulp of a character which will support living larvae of fruitflies or other injurious insects, other than stored-product insects of general distribution, may be imported into the United States with a permit. Such seeds, except vetch seeds, may be imported in commercial quantities, subject to the requirements of § 319.37–7 through § 319.37–17, and § 319.37–20, through ports that have special inspection facilities and are named in the permit issued for the seeds. Vetch seeds in commercial quantities may be imported subject to the requirements of the same sections but through any port, except any port on the Pacific Coast, which is named in the permit and at which the services of an inspector are available and the seed may be treated as required by the inspector.

§ 319.37–5 *Restricted plant material from Canada.* (*a*) Excepting the restricted plant material specified in § 319.37–2 which may enter at any point on the

Canadian Border where there is a Customs officer, and that which is specified in § 319.37–19 (*c*), restricted plant material, including fruit and nut stocks, may be imported from Canada as baggage, express, or freight at any port where there is a United States Customs official and by mail pursuant to § 319.37–10, through ports named in the permits, subject to the conditions and requirements set forth in § 319.37–7 through § 319.37–14, and § 319.37–16, § 319.37–17 and § 319.37–20, but the treatment requirement of § 319.37–9 shall be waived unless the condition of the shipment or other special circumstances necessitate, in the opinion of the inspector, the application of a treatment.

(*b*) Restricted plant material specified in § 319.37–19 (*c*) may be imported from Canada under a permit issued in advance, through the port specified in the permit, and subject to all the conditions and requirements of § 319.37–7 through § 319.37–14, § 319.37–16, § 319.37–17, § 319.37–19, and § 319.37–20.

(*c*) Restricted plant material may be certified under § 319.37–13 (*b*) as of Canadian origin when it can be shown to have been produced in the Dominion of Canada, or to have been imported from the United States. Herbaceous perennials imported into and grown on in Canada may be considered of Canadian production one growing season after importation. Woody plants, and greenhouse plants, such as orchids, ferns, palms, aspidistra, and other plants of like character, which have been imported into and grown on in Canada, except when imported into the Dominion from the United States, may not be considered as of Canadian origin and production and are enterable into the United States only under the requirements of § 319.37–6.

§ 319.37–6 *Restricted plant material generally.*—All restricted plant material excepting that specified in § 319.37–2 to § 319.37–5, inclusive, may be imported subject to the conditions and requirements set forth in § 319.37–7 through § 319.37–20, through a port which has special inspection facilities, to be designated in the permits. In addition to these requirements, all importations of five-leaf pines, currants, and gooseberries shall be made under conditions which are in harmony with the plant disease control program under the domestic blister rust quarantine (7 CFR 301.63).

§ 319.37–7 *Costs and charges.*—The services of the inspector during regularly assigned hours of duty and at the usual places of duty shall be furnished without cost to the importer. No charge will be made to the importer for Government owned or controlled special inspection facilities and equipment used in treatment, but the inspector may require the importer to furnish any special labor, chemicals, packing materials, or other supplies required in handling an importation under the quarantine and regulations in this subpart. The Bureau will not be responsible for any costs or charges, other than those indicated in this section, in connection with the entry, unpacking, inspection, treatment, repacking, conditioning, storage, forwarding, or any other operation of any character incidental to the physical entry of an importation of restricted plant material.

§ 319.37–8 *Inspection; freedom from plant pests.*—Except as otherwise provided herein, all plant material shall be subject to inspection to determine freedom from pests, and to determine compliance with requirements of the quarantine and regulations in this subpart. Inspection of *Primula* spp., except *Primula* spp. from Canada, shall be accomplished by detention of the plants for the time necessary to test them for the presence of tobacco-necrosis virus by the process of inoculating known susceptible plants, which is termed "indexing." This type of inspection will be available only at the Port of New York. Advance notice must be given of the arrival of such plants so that test seedlings will be available. Entry will be refused to restricted plant material found upon inspection to harbor injurious pests which are not widely prevalent in the United States, when no adequate method of treatment is available. When inspection discloses that the only pests present are such as are known to be widely prevalent within the United States, the inspector may require as a condition of entry that the shipment be treated by the best method available. In the latter case, where no method of treatment is known or the degree of pest infestation or infection is determined by the inspector as negligible he may permit the entry of the restricted plant material under appropriate restrictions or safeguards, in accordance with procedures administratively authorized by the Chief of Bureau.

§ 319.37–9 *Treatment.*—(*a*) Unless otherwise provided in the regulations in this subpart, all restricted plant material, except bulbs, shall be treated upon arrival in the United States in a manner required by the inspector and under his supervision, and in a place approved by him. If this involves transportation of such

material to a port having special inspection or treating facilities, the inspector may require that the material be transported in bond under such safeguards as he may prescribe. The inspector may waive treatment if in his judgment it is advisable to do so when inspection has failed to show cause for treatment. The inspector shall prescribe a schedule of treatment for restricted plant material according to a method selected by him in accordance with administratively authorized procedures known to be effective under the conditions under which the treatment is applied. Neither the Department of Agriculture nor the inspector shall be deemed responsible for any adverse effects of any such treatment.

(*b*) The inspector may refuse entry to any restricted plant material (except bulbs) which at the time of inspection at the port of entry is of such nature or is in such condition that, in his judgment, it cannot be treated without substantial injury.

§ 319.37–10 *Importation by mail.*—Importation by mail of any restricted plant material for which a permit is required as a condition of entry pursuant to § 319.37–3 through § 319.37–6 will be permitted only when the shipment is accompanied from the foreign mailing point by a special mailing tag or label which will direct the package to the Bureau at the inspection point named on the tag or label, or when the package is addressed to the Bureau at an inspection point named in the permit authorizing the importation by mail. Special mailing tags or labels will be furnished by the Bureau upon request made at the time of application for permit under § 319.37–12 and will bear the identifying number of the permit.

§ 319.37–11 *Notice of arrival.*—Immediately upon arrival of any shipment of restricted plant material at a port of entry the importer shall submit, in duplicate, through the United States Collector of Customs and for the United States Department of Agriculture, a notice of such arrival, on forms provided for that purpose (Form EQ–368) and shall give such information as is called for by that form; and he shall also submit with the notice an invoice or packing list which identifies the contents of the shipment.

§ 319.37–12 *Applications for and issuance of permits.*—Except as otherwise provided in § 319.37–2 and § 319.37–4 (*a*) permits are required for importations of all restricted plant material. Persons desiring to import restricted plant material for which a permit is required as a condition of entry pursuant to § 319.37–3 through § 319.37–6 shall first submit to the Bureau an application[4] stating the name and address of the importer, the approximate quantity and kinds (botanical designations) of restricted plant material it is desired to import, the country where grown, the port of entry in the United States, the name and address of the agent, if any, representing the importer, the means of transportation to be employed, i. e., mail, air mail, express, air express, freight, air-freight, or baggage. Such restricted plant material may be imported only after a permit has been issued, but if through no fault of the importer a shipment of such material arrives in advance of the issuance of a permit it may be held, under suitable safeguards prescribed by the inspector, in Customs custody and at the risk of the importer, pending the issuance of a permit, for a period not exceeding 20 days. Applications may be made orally or on forms provided for the purpose by the Bureau, or may be made by a letter or telegram containing all the information required by this paragraph.

Prospective importers of restricted plant material which will be required to be grown under postentry quarantine conditions outlined in § 319.37–19 shall also comply with subsection 319.37–19 (*b*) in submitting the application for permit.

Upon receipt of an application and upon approval by the inspector a permit or other authorization will be issued specifying the conditions of entry and the port of entry, and a copy will be supplied to the importer.

Permits for the importation of plants that are to be inspected for the presence of virus disease by the technique of indexing may limit the number of such plants in any one importation to the number that can be readily examined by this method.

§ 319.37–13 *Certification.*—(*a*) All restricted plant material from countries with official systems of inspection, except that entering pursuant to § 319.37–2, shall be accompanied by an original certificate attached to the invoice, and each container shall bear a copy-certificate, issued by a duly authorized official of the country of export stating (1) the country where the restricted plant material covered by the certificate was grown, (2) that it has been thoroughly inspected by him, or under his direction, both during the growing season and at the time of packing, and was found, and believed to be, free from plant pests, (3) that it is free from all sand, soil, or earth, except for restricted plant material under § 319.37–5,

[4] Applications for permits should be made to Import and Permit Section, Bureau of Entomology and Plant Quarantine, 209 River Street, Hoboken, N. J.

and (4) that only approved packing materials have been used. If the restricted plant material was not produced in the country from which it is shipped to the United States, the certificate and copy-certificate required in this paragraph must have been issued by the duly authorized official of the country where such material was grown. In addition, all restricted plant material entering the United States from any foreign country or locality, except that entering pursuant to § 319.37–2, shall be accompanied by an original certificate attached to the invoice, and each container shall bear a copy-certificate, issued by a duly authorized official of the country where such material was grown, stating that the restricted plant material covered by the certificate was grown on land on which no golden nematode (*Heterodera rostochiensis* Wr.) is known by him to occur. In countries where the golden nematode is reported to occur the certificate shall, in addition, state the date of the most recent inspection of the land in which the restricted plant material was grown. These two forms of certification may be included in a single certificate.[5]

(*b*) All restricted plant material entering the United States from Canada pursuant to § 319.37–5 when considered as of Canadian origin or production as specified in § 319.37–5 (*c*) shall be certified as of such origin by a duly authorized official of the Dominion pursuant to paragraph (*a*) of this section.

§ 319.37–14 *Marking of containers.*—Each case, box, or other container of restricted plant material shall be clearly and plainly marked and individually numbered and shall show the general nature and quantity of the contents, the country and locality where grown, the name and address of both the shipper and the consignee, and when containing restricted plant material importable only under permit, pursuant to § 319.37–3 through § 319.37–6, the number of the permit authorizing the importation. Containers of restricted plant material importable only under permit shall be addressed to the consignee in care of the Bureau of Entomology and Plant Quarantine at the port of entry designated in the permit.

§ 319.37–15 *Freedom from soil.*—All restricted plant material must be free from sand, soil, or earth, and any shipment arriving in the United States which is not free from such sand, soil, or earth, except shipments under § 319.37–5, may be refused entry. This requirement does not apply to approved packing material as provided in § 319.37–16.

§ 319.37–16 *Approved packing materials.*—All packing materials employed in connection with any shipment of restricted plant material are subject to approval for such use by the Chief of Bureau, who shall specify in administrative instructions a list of approved packing materials and instructions as to their use.

§ 319.37–16a *Administrative instructions; list of approved packing materials and instructions for their use.*—The following materials, when free from sand, soil, or earth unless otherwise noted, and when they have not been previously used as packing or otherwise with living plants, are approved as packing materials for use in connection with any shipment of restricted plant material imported in accordance with the requirements of 7 CFR 319.37 through 319.37–25:

Buckwheat hulls.

Charcoal (Inspection is difficult when this material is used. It should be used only where its particular qualities are especially desirable and other approved packing materials are unsuitable.)

Coral sand from Bermuda, when free from surface soil, and certified as such by the Director of Agriculture of Bermuda.

Excelsior.

Exfoliated vermiculite.

Ground cork.

Ground peat.

Sawdust.

Shavings.

Sphagnum moss.

Vegetable fiber when free of pulp, including coconut fiber and Osmunda fiber, but excluding sugarcane fiber and cotton fiber.

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[5] The following is a suggested certificate that would meet these requirements:

This is to certify (1) that the plant material covered by this certificate was grown in _____; (2) that it was inspected by me or under my direction both during the growing season and at the time it was packed and was found, and is believed by me, to be free from injurious insects and plant diseases; (3) that it is free from all sand, soil, or earth; (4) that the packing material used is of the type approved under the provisions of Nursery Stock, Plant, and Seed Quarantine No. 37; and (5) that the plant material was grown on land which, on the basis of an inspection made on _____, 19__, was free from the golden nematode, *Heterodera rostochiensis* Wr.

In cases of emergency an inspector may approve for use for specific shipments packing materials other than those listed, after he has determined that such materials are free from sand, soil, or earth and that their use does not involve a risk of introducing plant pests. Should the inspector determine that any unlisted packing material accompanying a specific shipment of restricted plant material is objectionable, the shipment may be refused entry.

Regulations governing the entry of hay and straw packing material are contained in this Department's Bureau of Animal Industry Order 371 (9 CFR 95.21 and 95.22). Such material is restricted entry from countries where rinderpest or foot-and-mouth disease exists. Any such material offered for entry without having met the conditions of Sec. 95.21 is required by Sec. 95.22 to be disinfected or burned. The provisions of this Bureau of Animal Industry Order are not applicable to hay or straw mats, jackets, or casings.

All restricted material from Europe and Canada must be free from willow withes. Such material, when not free from willow withes, will be refused entry until the withes are removed and destroyed. Such material, when accompanied by willow withes, may be held in customs custody for a period not exceeding 40 days, during which period the permittee or his agent, after making satisfactory arrangements, may remove and destroy the withes under the supervision of, and in a manner satisfactory to, an inspector, after which the shipment may be handled in the usual way. [B. E. P. Q. 571, 13 F. R. 8176, Dec. 22, 1948; 7 CFR 319.37–16a]

§ 319.37–17 *Prohibited plant material accompanying restricted plant material.*—If any container of restricted plant material is found to contain plant material prohibited importation by § 319.37 through 319.37–25 or any other quarantine or order, the entire container may be refused entry by the inspector.

§ 319.37–18 *Size-age limitations.*—(*a*) Except as provided in this paragraph all restricted trees and shrubs to be imported shall be limited to the youngest and smallest, normal, clean, and healthy plants which can be successfully freed from soil about their roots, transported to the United States, and established. The inspector may use as a maximum size criterion in enforcing this limitation the normal size of plants no more than two years of age when they have been grown from seeds or cuttings, or having no more than one year's growth after severance from the parent plant when produced by layers, or having no more than two seasons' growth from the bud or graft when they have been produced by budding or grafting, except that the maximum size criterion for rhododendrons (including azalea) or other genera or species of similar slow growth habit shall be the normal size of plants no more than three years of age when they have been grown from seeds or cuttings, or having no more than three years' growth from the bud or graft, or no more than two years' growth after severance in the case of layers. The size-age limitation shall not apply to naturally dwarf or miniature forms not exceeding 12 inches in height from the soil line nor to artificially dwarfed forms of the character popular in parts of the Orient. Whenever the importer makes a showing with his application for permit, satisfactory to the inspector responsible, that importation of a larger plant, such as, for example, a specimen plant, is necessary, and if in the opinion of the inspector such larger plant may be imported under conditions prescribed in the permit without added risk of pest entry, the inspector may authorize an exception to the limitation of this paragraph and shall specify the exception in the permit.

(*b*) Herbaceous perennials which are usually imported in the form of root crowns or clumps shall be limited to one-year-old plants produced from single propagating units, or, when consisting of divided clump material, such as Astilbe, to divisions comparable to one-year-old plants produced from single propagating units.

(*c*) Whenever the Chief of Bureau shall find that plants of any kinds, classes, or growth habit, when limited in size and age as set forth in paragraphs (*a*) and (*b*) of this section, are too young and small successfully to be freed of soil, transported, and established in the United States, he may set forth in administrative instructions other criteria for the size-age limitation of such plants.

(*d*) Except as provided in this paragraph, only seeds may be imported in the case of forest trees, species of any plants used for understocks and woody ornamental plants that are botanical species or botanical varieties and which grow true from seed. The inspector responsible may issue a permit authorizing in advance the importation of plants rather than seeds of such species and varieties specified in this paragraph whenever the importer makes a showing with his application for permit, satisfactory to the inspector, that the plants desired cannot be produced

from seed because either (1) they are variations which are reproduced by vegetative means only or (2) it is impossible or impracticable to import viable seed.

(*e*) Restricted plant material arriving in the United States contrary to any limitation provided in this section may be refused entry.

§ 319.37–19 *Postentry quarantine.*—(*a*) All restricted plant material listed in paragraph (*c*) of this section will be required as a condition of importation, to be grown under the postentry quarantine conditions set forth in paragraph (*b*) of this section, and no such material shall be moved from the port of entry until the agreement required in paragraph (*b*) of this section has been filed with the inspector and other pertinent arrangements for growing in postentry quarantine have been completed to the satisfaction of the inspector. Should inspection at port of arrival of restricted plant material not listed in paragraph (*c*) of this section, other than that imported pursuant to § 319.37–2, reveal symptoms indicating that unrestricted release of such plant material may present pest entry risk not removed by treatment, the inspector may require such plant material to be grown in postentry quarantine when the importer has made the necessary arrangements, otherwise such plant material shall be refused entry.

(*b*) In the case of restricted plant material listed in paragraph (*c*) of this section or otherwise required by the inspector to be grown under postentry quarantine, the importer shall file with his application for permit an agreement to

(1) Grow such material on premises indicated in the permit and owned or controlled by him until released by the Bureau;

(2) Permit inspectors to have access to the said premises at all reasonable daylight hours;

(3) Keep the restricted plant material and any increase therefrom identified with suitable labels showing the name of the plants and the number of the permit which authorized their importation;

(4) Make no distribution from the specified premises of the restricted plant material or increase or cut blooms therefrom, until released from the agreement by the Bureau, which release in the case of cut blooms may be written authorization by the inspector;

(5) Apply any remedial measure prescribed by the inspector to the imported plant material, increase therefrom, or other plants growing on the premises, including destruction of any or all of same, if necessary in the judgment of the inspector, to prevent the dissemination of a plant pest.

(*c*) The following restricted plant material shall as a condition of importation be grown in postentry quarantine under conditions set forth in this section.

Plants to be grown under postentry quarantine	*Where imported from*
Acer spp	All foreign countries except Bulgaria, Canada, England, France, Germany, and Japan.
Aesculus spp	All foreign countries except Canada, Czechoslovakia, England, and Germany.
Aleurites spp	All foreign countries except China and Brazil.
Althaea spp	All foreign countries except Africa, Canada, and India.
Anthurium spp	All foreign countries.
Berberis spp. (plants of all species and horticultural varieties designated as resistant to black stem rust in accordance with 7 CFR 1949 Supp. 301.38–5 or amendments thereof).	All foreign countries. (May not be grown under postentry quarantine in the eradication states designated in 7 CFR 1949 Supp. 301.38–3 or amendments thereof.)
Boltonia spp	Canada
Bromeliads	All foreign countries when destined to Hawaii.
Camellia spp	Ceylon.
Crataegus monogyna Jacq	Europe.
Cedrus spp	All foreign countries except Canada and those in Europe.
Corylus spp	The Canadian province of Manitoba and provinces west thereof when destined to the States of California, Oregon, and Washington.
Cytisus spp	All foreign countries except Bulgaria, Canada, England, and Germany.
Daphne spp	All foreign countries except Canada and New Zealand.
Datura spp	All foreign countries except England and India.
Dianthus spp	All foreign countries except England.
Eucalyptus spp	All foreign countries except Argentina, Ceylon, Uruguay, and those in Europe.
Euonymus spp	All foreign countries except Germany.
Fraxinus spp	All foreign countries except Canada and those in Europe.
Fruit and nut plants, buds, cuttings, and scions, or stocks imported for the vegetative propagation of stocks (except as otherwise provided).	All foreign countries except Canada.
Hibiscus spp	All foreign countries except Sudan, Nigeria, India, and Trinidad.

Plants to be grown under postentry quarantine	*Where imported from*
Humulus spp	All foreign countries.
Hydrangea spp	All foreign countries except Germany.
Ilex spp	All foreign countries except Canada, England, and France.
Jasminum spp	All foreign countries except Belgium, Canada, England, and Germany.
Juniperus spp	All foreign countries except Canada, Finland, and Rumania.
Laburnum spp	All foreign countries except Bulgaria, Canada, England, and Germany.
Larix spp	All foreign countries except Canada and those in Europe.
Ligustrum spp	All foreign countries except Canada and Germany.
Mahoberberis spp. (plants of all species and horticultural varieties designated as resistant to black stem rust in accordance with 7 CFR 1949 Supp. 301.38–5 or amendments thereof).	All foreign countries. (May not be grown under postentry quarantine in the eradication states designated in 7 CFR 1949 Supp. 301.38–3 or amendments thereof.)
Mahonia spp. (plants of all species and horticultural varieties designated as resistant to black stem rust in accordance with 7 CFR 1949 Supp. 301.38–5 or amendments thereof).	All foreign countries. (May not be grown under postentry quarantine in the eradication states designated in 7 CFR 1949 Supp. 301.38–3 or amendments thereof.)
Malus spp., including stocks, when not prohibited entry.	All foreign countries except Canada.
Mespilus germanica L	Europe.
Morus spp	All foreign countries except Canada, China, and Japan.
Nicotiana spp	All foreign countries except Australia, Great Britain, and Canada.
Nut and fruit stocks	(See Fruit and Nut Stocks.)
Passiflora spp	All foreign countries.
Picea spp	All foreign countries except Canada, Japan, Siberia, and those in Europe.
Pinus spp. (2- or 3-leaved)	All foreign countries except Canada, Japan and those in Europe.
Populus spp	All foreign countries except Canada and those in Europe.
Prunus spp., including stocks, when not prohibited entry.	All foreign countries except Canada, and from Canada when destined to California.
Pseudotsuga spp	All foreign countries except Canada and those in Europe.
Pyrus spp., including stocks, when not prohibited entry.	All foreign countries except Canada.
Quercus spp	All foreign countries except Canada and Japan.
Rhododendron brachycarpum D. Don	Europe, Japan, and Siberia.
R. calostrotum I. B. Balf. & F. K. Ward	
R. cantabile I. B. Balf	
R. dauricum L.	
R. fastigiatum Franch	
R. ferrugineum L.	
R. hippophaeoides I. B. Balf. & W. W. Smith	
R. hirsutum L	
R. indicum Sweet	
R. intermedium Tausch	
R. kaempferi Planch	
R. keleticum I. B. Balf. & Forrest	
R. kotschyi Simonk	
R. kiusianum Makino	
R. micranthum Turcz	
R. myrtifolium Lodd	
R. oldhami Maxim	
R. parvifolium Adams	
R. ponticum L. var. baeticum Boiss. & Reut.	
R. pruniflorum Hutchinson & F. K. Ward	
R. racemosum Franch	
R. roylei Hook. f	
R. suave Hort	
Ribes nigrum	All foreign countries except British Isles, Canada, and New Zealand (may not be grown under postentry quarantine when destined to states designated as noninfected in 7 CFR 301.63–3a or amendments thereof).
Rosa spp	All foreign countries except Australia, Canada, Italy, and New Zealand.
Rubus spp	All foreign countries.
Salix spp	All European countries except England and The Netherlands.
Sorbus spp	All foreign countries except Canada, China, Germany, Japan, Philippine Islands, and those in Southeastern Asia and Oceania (including Australia and New Zealand).
Ulmus spp	All foreign countries except Canada and those from which entry of this species is prohibited by 7 CFR 319.70 et seq. or amendments thereof.
Vitis spp	All foreign countries other than Canada and those in Europe.
Wisteria spp	All foreign countries except Canada and Australia.

§ 319.37–20 *Plant material refused entry.*—Any plant material refused entry for noncompliance with the requirements and conditions of this subpart shall be promptly removed from the United States or abandoned by the importer for

destruction, and pending such action shall be subject to the immediate application of such safeguards against escape of plant pests as the inspector may prescribe. If such restricted plant material is not promptly safeguarded by the importer, removed from the United States, or abandoned for destruction to the satisfaction of the inspector it may be seized, destroyed, or otherwise disposed of in accordance with section 10 of the Plant Quarantine Act (7 U. S. C. 164a). Neither the Department of Agriculture, nor the inspector will be responsible for any costs accruing for demurrage, shipping charges, cartage, labor, chemicals, etc., incidental to the safeguarding or disposal of plant material refused entry by the inspector, nor will the Department or Agriculture or the inspector be responsible for the value of the plant material so disposed of. It shall be understood that any person applying for a permit under § 319.37–12 agrees to the conditions and requirements of this section.

§ 319.37–21 *Ports of entry.*—Ports of entry for the various kinds and classes of restricted plant material shall be those specified under § 319.37–3 through § 319.37–6. In specifying ports of entry [6] for importations the inspector issuing permits shall be governed by the general principle that uninspected and untreated shipments shall not move long distances overland for inspection and treatment but shall be inspected and treated at the authorized point at or nearest the port of arrival.

§ 319.37–22 *Importations for exportation and importations for transportation and exportation.*—Importations of restricted plant material for exportation or for transportation and exportation subject to the quarantine and regulations of this subpart shall be subject to the Plant Safeguard Regulations in 7 CFR 352.1 through 352.7, as amended from time to time.

§ 319.37–23 *Importations by the Department of Agriculture.*—Restricted plant material may be imported by the Department of Agriculture for experimental or scientific purposes under such conditions as may be prescribed by the Chief of Bureau and through the Division of Plant Exploration and Introduction of the Bureau of Plant Industry, Soils, and Agricultural Engineering.

§ 319.37–24 *Cooperation with States.*—Whenever, in the opinion of the Chief of Bureau, a State or Territory of the United States shall have taken action to suppress types of pests that may be imported with certain nursery stock and other plants and seeds, and shall have promulgated, when such action contributes to the suppressive program, a plant quarantine prohibiting the entry in interstate movement of specific kinds of nursery stock, other plants, or seeds that might introduce such pests, and further shall have requested through the responsible State official that the United States Department of Agriculture cooperate by restricting the importation from specific foreign countries of such nursery stock, other plants, or seeds into the State or Territory in question, importations thereof to said State or Territory may be denied by the Chief of Bureau either through refusing approval of a permit or such other means as he may provide in administrative instructions.

§ 319.37–24a *Administrative instructions restricting issuance of permits for the importation of citrus seeds.*—In accordance with § 319.37–24, the Chief of the Bureau of Entomology and Plant Quarantine has determined that the Plant Commissioner of the State Plant Board of Florida has taken action to suppress citrus canker (*Xanthomonas citri* (Hasse) Dowson), quick decline, and other dangerous diseases affecting citrus, and has promulgated as Rule 28 of rules and regulations made by the State Plant Board pursuant to the Florida Plant Act of 1927, effective March 31, 1947, a plant quarantine prohibiting the entry into Florida in interstate commerce of any and all kinds of citrus trees and parts thereof, including, among other parts, citrus seeds, with certain exceptions not applicable to the movement of such seeds. Further, the Plant Commissioner of the State Plant Board of Florida has requested that the United States Department of Agriculture cooperate in connection with such quarantine by prohibiting the importation into Florida from all foreign countries of citrus seeds. Under authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by § 319.37–24: *It is hereby ordered*, That permits will be issued for the importation of citrus seeds from any foreign country only if such seeds are to be imported into a place within the United States other than the State of Florida. [B. E. P. Q. 582, 14 F. R. 6557, Oct. 27, 1949; 7 CFR 319.37–24a]

[6] See appendix A for a list of ports at which inspectors are located. Ports with special inspection and treating facilities are indicated by an asterisk (*).

§ 319.37–25 *Insects imported for scientific and educational purposes.*—No insect in a live state which is notoriously injurious to cultivated crops, including vegetables, field crops, bush fruits, orchard trees, forest trees or shade trees, or the eggs, larvae, or pupae of any such insect, may be removed from any foreign country into the United States, except that injurious insects, in any stage of development, may be imported into the United States, under permit for scientific, including educational, purposes only under such safeguards and restrictions as the Chief of Bureau may prescribe after review of each individual application for permit to import either individual consignments or a group of related shipments. Each application for a permit to import such insects shall give information on the specific insects to be imported, the purpose of and need for the importation, the place where and conditions under which the insects will be studied, the area from which they will be imported, and the port through which the shipment will be made. Each container of insects so imported shall bear an identifying tag from the Chief of Bureau.

The purpose of the quarantine and regulations in this subpart is to prevent the entry into the United States of injurious plant pests from all foreign countries.

Revisions of this quarantine prior to that promulgated on July 21, 1948, have determined that there existed in Europe, Asia, Africa, Mexico, Central and South America, and other foreign countries and localities certain injurious insects and fungus diseases new to and not theretofore distributed within and throughout the United States. They therefore declared it necessary to forbid the importation into the United States of certain nursery stock and other plants and seeds from all foreign countries, except as provided in rules and regulations supplemental to the quarantine.

The major revision issued July 21, 1948, was for the prupose of modifying such prohibitions and restrictions; specifying many exclusion procedures that had been carried on administratively for considerable periods under the general authority of the regulations; prescribing the manner in which the amendment to section 1 of the Plant Quarantine Act, approved July 31, 1947 (7 U. S. C. Supp. III, 154) should be made effective; and establishing such other restrictive measures as were then deemed necessary to prevent the entry of plant pests.

Among other features of the 1948 revision, absolute pfohibitions were prescribed on the importation into the United States of specific plant material that might serve as a means of introducing plant pests from foreign countries where the pests occur. By authority of section 7 of the Plant Quarantine Act (7 U. S. C. 160), the quarantine prohibited the entry into this country of plant material for which a sound biological basis for exclusion exists. Most of these prohibitions were of long standing, previously having been administratively ordered as safety measures under the general authority of the regulations.

Further, as a means of preventing the entry into the United States of still other plant pests, certain import restrictions of the Plant Quarantine Act were made applicable to specified plants, roots, bulbs, and seeds by authority of section 5 of the act (7 U. S. C. 159). In addition, provision was made to prohibit or restrict the importation into certain states of the United States of any nursery stock and other plants and seeds that might introduce injurious plant pests against which a state control program is directed.

As authorized in amended section 1 of the Plant Quarantine Act, conditions were established under which permits may be issued for the importation into the United States of certain nursery stock and other plants and seeds. Also, certain limitations were prescribed on the entry of such nursery stock and other plants and seeds from foreign countries. These limitations included the requirement that such nursery stock and other plants and seeds be grown under postentry quarantine by or under the supervision of the United States Department of Agriculture for the purpose of determining whether imported plant material may be infested or infected with plant pests not discernible by port of entry inspection. Such remedial measures as were deemed necessary were also prescribed for application to imported nursery stock and other plants and seeds found to be infested or infected with plant pests.

Under the Insect Pest Act of 1905, regulations were established for the importation into the United States, for scientific purposes, of notoriously injurious, living insects.

The present revision makes certain minor changes in the text of the quarantine and regulations, but otherwise continues them in effect. The terms "clone" and "clonal understocks" have been replaced by the term "stocks", one more commonly understood. In other instances the quarantine and regulations have been

clarified to eliminate ambiguities. Requirements applicable to species of berberis, mahonia, mahoberberis, and ribes have been readjusted to conform to revised requirements of domestic plant quarantines prescribing the manner in which these species may move interstate.

Administrative instructions of the Chief of the Bureau of Entomology and Plant Quarantine, heretofore issued as 7 CFR and 1949 Supp. 319.37a, 319.37–16a, 319.37–24a, and 7 CFR 319.37–2a, 15 F. R. 1196, remain in full force and effect until otherwise ordered by the Chief of the Bureau of Entomology and Plant Quarantine as provided in this subpart.

This revision of the quarantine and regulations shall be effective on and after December 5, 1950.

(Secs. 1, 5, 7, 37 Stat. 315, 316, 317, as amended, 7 U. S. C. and Supp. III 154, 159, 160; Sec. 3, 33 Stat. 1270; 7 U. S. C. 143.)

Done at Washington, D. C., this 1st of November 1950.

CHARLES F. BRANNAN,
Secretary of Agriculture.

[Copies of the above order were sent to all American diplomatic and consular officers through the Department of State.]

[Filed with the Division of the Federal Register, November 3, 1950, 8:52 a. m.; 15 F. R. 7461, 7798.]

APPENDIX A

LIST OF PORTS AT WHICH INSPECTORS ARE LOCATED

Ports with special inspection and treating facilities are indicated by an asterisk (*).

Alaska	Anchorage, 136 Federal Bldg.
	Fairbanks, 403 Federal Bldg.
Alabama	Mobile, 209 U. S. Courthouse and Customhouse.
Arizona	Douglas, 207 U. S. Inspection Station.
	Naco, 107 U. S. Border Station.
	Nogales, 128 Federal Inspection Station Bldg.
California	Calexico, 203 U. S. Border Station.
	Los Angeles, 204 State Bldg., 217 West 1st St. (San Pedro, 104 Ferry Bldg.).
	San Diego, 308 Broadway Pier Bldg.
	*San Francisco, 2 Agriculture Bldg., Embarcadero at Mission St.
	San Ysidro, 229 Federal Bldg.
District of Columbia	*Plant Inspection House, 224 12th St. SW., Washington.
Florida	Jacksonville, 445 New Post Office Bldg., 311 West Munroe St.
	Key West, 226 Federal Bldg., 307 Simonton St.
	*Miami, East End Pier No. 2, City Docks (Plant Inspection House, Bldg. T–202, Ave. A, International Airport).
	Pensacola, 312-B Federal Bldg., corner Chase and Palafox Sts.
	Port Everglades, 102 Customhouse.
	Tampa, 113 U. S. Customs Appraiser's Stores Bldg., Platt and Water Sts.
	West Palm Beach, 216 Federal Bldg., Olive and Fern Sts.
Georgia	Savannah, 107 Customhouse, 1 East Bay St.
Hawaii	Hilo, 236 Federal Bldg.
	*Honolulu, 248 Federal Bldg.
Illinois	Chicago, 800 Customhouse, 610 South Canal St.
Louisiana	New Orleans, 319 Customhouse, 423 Canal St.
Maryland	Baltimore, 200 Customhouse.
Massachusetts	Boston, 408 Atlantic Ave.,405 U. S. Appraiser's Stores Bldg.
Michigan	Detroit, 405 Customhouse, 100 Larned St.
Minnesota	St. Paul, 203 Main Post Office and Customhouse.
Missouri	Kansas City, 303 Federal Court Bldg., Grand and 9 Sts.
	St. Louis, U. S. Customs Mail Bureau, Window 27, Main Post Office Bldg.
New York	Buffalo, 530 Federal Bldg.
	*New York, 844 Federal Bldg., Christopher St. (Plant Inspection House, 209 River St., Hoboken, N. J.).

Ohio	Cleveland, 3067 Main Post Office Bldg.
Oregon	Portland, 439 U. S. Courthouse, 620 Southwest Main St.
Pennsylvania	Philadelphia, 601–A Customhouse.
Puerto Rico	*San Juan, Bldg. N, Puerto Rican Reconstruction Administration, Avenida Ponce de Leon.
South Carolina	Charleston, 17 Customhouse.
Texas	Brownsville, U. S. Fumigation Plant.
	Dallas, 544 U. S. Terminal Station, 207 South Houston St.
	Del Rio, International Bridge Landing.
	Eagle Pass, 209–210 U. S. Post Office and Customhouse.
	El Paso, 127 U. S. Courthouse.
	Galveston, 407 Post Office Bldg.
	Hidalgo, U. S. Customs Bldg., International Bridge.
	Houston, 206 U. S. Appraiser's Stores Bldg., 7300 Wingate St.
	*Laredo, 207–211 Federal Bldg.
	Port Arthur, 205 Post Office and Customhouse.
	Presidio, U. S. Customhouse, International Bridge.
	Roma, Starr County Bridge Co. Bldg.
	San Antonio, 533 Federal Bldg., Houston and Alamo Sts.
Virginia	Arlington, MATS Terminal Bldg., National Airport.
	Norfolk, 411 U. S. Post Office and Courthouse Bldg.
Washington	Blaine, 211 Customs Station, Pacific Highway.
	*Seattle, 904 Federal Office Bldg.

Appendix B

The entry of the following plant material for propagation is prohibited or restricted by specific quarantines and other restrictive orders now in force:

(*a*) Irish potatoes from all countries except the Dominion of Canada and Bermuda.

(*b*) Cottonseed (including seed cotton) of all species and varieties from any foreign country and locality, excepting the Imperial Valley of Mexico.

(*c*) Seeds of the avacado or alligator pear from Mexico and the countries of Central America.

(*d*) Canes of sugarcane or cuttings or parts thereof from all foreign countries.

(*e*) Seed and all other portions in the raw or unmanufactured state of Indian corn or maize (*Zea mays* L.), and the closely related plants, including all species of Teosinte (*Euchlaena*), Job's tears (*Coix*), Polytoca, Chionachne, and Sclerachne, from southeastern Asia (including India, Siam, Indo-China, and China), Malayan Archipelago, Australia, New Zealand, Oceania, Philippine Islands, Formosa, Manchuria, Japan, and adjacent islands.

(*f*) All varieties of sweetpotatoes and yams (*Ipomoea batatas* and *Dioscorea* spp.) from all foreign countries and localities.

(*g*) All varieties of banana plants (*Musa* spp.) or portions therof from all foreign countries and localities.

(*h*) All varieties of bamboo seed, plants, or cuttings therof capable of propagation, including all genera and species of the tribe Bambuseae, from all foreign countries.

(*i*) Seed or paddy rice from all foreign countries and localities.

(*j*) Wheat from Australia, India, Japan, Italy, China, Union of South Africa, and Spain.

(*k*) Seed and all other portions in the raw or unmanufactured state of Indian corn or maize, broomcorn, sweet sorghums, grain sorghums, Sudan grass, Johnson grass, sugarcane, pearl millet, napier grass, teosinte, and Job's tears from all foreign countries and localities.

(*l*) Citrus plants or any plant part except seeds, of all genera, species, and varieties of the subfamilies Aurantioideae, Rutoideae, and Toddalioideae of the botanical family Rutaceae from all foreign countries and localities.

(*m*) All seeds, leaves, plants, cuttings, and scions of elm and related plants from the Continent of Europe, the Dominion of Canada, and other foreign areas north of the United States, except that clean seeds from the foreign areas north of the United States, are exempted.

(*n*) Coffee plants and leaves from all foreign countries and localities when destined to Puerto Rico.

ANNOUNCEMENTS RELATING TO PINK BOLLWORM QUARANTINE (NO. 52)

(7 CFR, Part 301)

NOTICE OF PUBLIC HEARING AND OF PROPOSED RULE MAKING ON EXTENDING THE QUARANTINE ON ACCOUNT OF PINK BOLLWORM TO THE STATE OF LOUISIANA AND REGULATING CERTAIN AREAS THEREIN AND ON EXTENDING THE REGULATED AREAS UNDER SAID QUARANTINE IN THE STATES OF TEXAS AND OKLAHOMA

DECEMBER 27, 1950.

Notice is hereby given in accordance with section 8 of the Plant Quarantine Act of August 20, 1912, as amended (37 Stat. 318, as amended; 7 U. S. C. 161), and section 4a of the Administrative Procedure Act (60 Stat. 232; 5 U. S. C. 1003 (a)), as follows:

The Secretary of Agriculture has information that the pink bollworm (*Pectinophora gossypiella* Saund.), a dangerous insect not heretofore widely prevalent or distributed within or throughout the United States, but which previously has been found to exist in certain parts of the States of Arizona, New Mexico, Oklahoma, and Texas, has recently been discovered in certain parts of the State of Louisiana.

It is therefore proposed under the authority of said section 8 of the Plant Quarantine Act to amend the Pink Bollworm Quarantine (7 CFR 301.52) to quarantine the State of Louisiana because of pink bollworm and to amend the regulations supplemental to said quarantine (7 CFR and Supp. 301.52–1 *et. seq.*, as amended, 15 F. R. 164) to designate as regulated areas the parishes of Calcasieu, Cameron, Evangeline, and Vermilion and possibly also the parishes of Acadia, Allen, Avoyelles, Beauregard, Iberia, Jefferson Davis, Lafayette, Pointe Coupee, Rapides, St. Landry, St. Martin, and Vernon. Prohibitions and restrictions as prescribed in said regulations would thus be made applicable to the movement from such regulated areas in the State of Louisiana into or through any other State, Territory, or District of the United States of the following:

(1) Cotton and wild cotton, including all parts of both cotton and wild cotton plants; seed cotton; cotton lint; linters; and all other forms of unmanufactured cotton fiber, gin waste, cotton seed, cottonseed hulls, cottonseed cake, and meal; (2) okra, including all parts of the plants; (3) bagging and other containers and wrappers of cotton and cotton products; (4) railway cars, boats, and other means of transportation which have been used in conveying regulated cotton products or which are fouled with such products; and (5) when contaminated with regulated cotton products, any other commodities, including farm products, farm household goods, and farm equipment.

The Secretary of Agriculture also has information that infestations of the pink bollworm were recently discovered in the following counties in the presently quarantined States of Texas and Oklahoma that heretofore have not been designated as regulated areas in said regulations, and it is therefore proposed, under the authority of said section 8 of the Plant Quarantine Act to amend said regulations so as to include such counties within the regulated areas:

Texas:
- Archer.
- Austin.
- Bandera.
- Bastrop.
- Bell.
- Blanco.
- Bosque.
- Brazoria.
- Chambers.
- Clay.
- Colorado.
- Comal.
- Edwards.
- Falls.
- Fayette.
- Fort Bend.
- Gillespie.

Texas—Continued
- Hill.
- Hood.
- Jack.
- Jefferson.
- Johnson.
- Kendall.
- Kerr.
- Kimble.
- Kinney.
- Lavaca.
- Lee.
- Liberty.
- Limestone.
- Llano.
- McLennan.
- Milan.
- Orange.

Texas—Continued
- Palo Pinto.
- Real.
- Somervell.
- Stephens.
- Sutton.
- Travis.
- Val Verde.
- Williamson.
- Young.

Oklahoma:
- Comanche
- Cotton.
- Jefferson.
- Stephens

Following discovery of the above-mentioned infestations the States of Texas and Oklahoma, as well as the State of Louisiana, promptly issued State quarantines to provide safeguards on the movement of host material from the infested areas.

A public hearing will be held before a representative of the Bureau of Entomology and Plant Quarantine in the Third Floor Courtroom, United States Custom and Courthouse Building, Memphis, Tenn., at 10 a. m., January 11, 1951, at which hearing any interested party may appear and be heard, either in person or by attorney, on the aforesaid proposals. Any interested person who desires to submit written data, views, or arguments on the proposals may do so by filing the same with the Chief of the Bureau of Entomology and Plant Quarantine, United States Department of Agriculture, Washington 25, D. C., on or before January 9, 1951.

Done at Washington, D. C., this 27th day of December 1950.

Charles F. Brannan
Secretary of Agriculture.

[Filed with the Division of the Federal Register, December 29, 1950, 8:45 a. m.; 15 F. R. 9522]

MISCELLANEOUS ITEMS

UNITED STATES DEPARTMENT OF AGRICULTURE INSECT AND PLANT DISEASE CONTROL ADMINISTRATOR DIES

(Press Notice)

October 23, 1950.

Funeral services for Erle G. Brewer, leader of the United States Department of Agriculture's Division of Japanese Beetle Control, and responsible for the Department's regulatory activities against the Japanese beetle, Dutch elm disease, and the gypsy and brown-tailed moths, were held October 22 in East Orange, N. J., where he died October 20 following a long illness. William Middleton has been named acting leader of the Division, by Avery S. Hoyt, chief of the Bureau of Entomology and Plant Quarantine. Mr. Brewer had been in the insect control field since 1906, and in the employ of the Department since 1920, almost entirely in responsible supervisory positions. He was born December 2, 1887, in Lynn, Mass., where he received his early education. He began his life work against insect pests in 1906 as a scout for gypsy moth for the State of Massachusetts. In 1910, he was appointed superintendent of moth work of the town of Hamilton, Mass., and in 1911, superintendent of moth work for Massachusetts, a position he held until 1919 when he entered Federal employment in the Bureau of Entomology and Plant Quarantine.

When the European corn borer became a pest of primary importance in the New England area in 1920, Mr. Brewer's activities were directed against the spread of that insect. Under his direction, surveys were conducted to determine the extent of corn borer infestations in all New England. When the pest was discovered in the Great Lakes Region, he assumed direction of federal regulatory activities against the borer in the middle west, with headquarters first in Cleveland, Ohio, and later in Toledo and Springfield, Ohio.

At the close of the government's program to limit the spread of the corn borer in 1934, Mr. Brewer left Federal employment to enter private business. The following year, however, he returned to the Bureau at Harrisburg, Pa., to aid in regulatory efforts to limit spread of the Japanese beetle, then rapidly increasing in population in New Jersey and a few adjoining States. In 1937, he became assistant division leader and on October 16, 1937, leader of the Bureau's Division of Japanese Beetle Control, with headquarters at East Orange, N. J. In this connection, he was responsible for the Bureau's program for technical, operating, and administrative direction of regulatory and control programs relating to enforcement of Federal quarantines and regulatory orders on Japanese beetle, Dutch elm disease, and gypsy and brown-tailed moths inspection and certification.

Mr. Brewer was known to farmers, nurserymen, florists, plant quarantine officials, and shippers of plants and plant products throughout eastern and midwestern States wherever the Japanese beetle, gypsy moth, brown-tailed moth, and Dutch elm disease occurred.

WILLIAM A. BAKER TO HEAD USDA's CEREAL AND FORAGE INSECT RESEARCH

(Press Notice)

October 25, 1950.

William A. Baker has been appointed leader of the United States Department of Agriculture's cereal and forage insect investigations, Avery S. Hoyt, chief of the Bureau of Entomology and Plant Quarantine announced today. In taking over his new duties as head of the Division of Cereal and Forage Insect Investigations, effective October 23, Mr. Baker succeeds Clyde M. Packard who retired on September 30 after more than 37 years of service in that Division.

Mr. Baker has been employed in the Department continuously since 1920 and has had wide experience in conducting investigations of insects that affect cereal and forage crops. From 1920 to 1927 he was stationed at San Antonio and Dallas, Tex., where he worked on various problems in the Southwest, including grasshoppers, sorghum midge, sorghum webworm, and greenbug. For a short period in 1927 he worked on parasites of the European corn borer at Arlington, Mass. In 1928 he was transferred to Monroe, Mich., where for 5 years he was in charge of the Department's program of rearing, distributing and determining the effectiveness of natural enemies of the European corn borer. From 1934 to 1943 he was in field charge of all Federal research investigations concerning the European corn borer, with headquarters at Toledo, Ohio. He was transferred to Washington, D. C., in 1943 and for the past 7 years has served as assistant leader of the Division of Cereal and Forage insect Investigations, which work he now heads.

A native of Dorchester, Mass., Mr. Baker graduated in 1920 with a B. S. degree in entomology from the Massachusetts Agricultural College, now known as the University of Massachusetts. He served as gunnery sergeant in the Marine Corps Reserve for a short period during World War I.

Mr. Packard entered the employ of the Department in 1913. During his long period of Federal service his work concerned investigations of the various insect pests that attack cereal and forage crops. He had field assignments at Hagerstown, Md., Wellington, Kans., Pasadena, Martinez, and Sacremanto, Calif., and from 1920 to 1926 was in charge of the field laboratory at the latter location. For the next eleven years he was headquartered at West Lafayette and Lafayette, Ind., where he directed research on Hessian fly, chinch bug, white grubs, and other grain and forage pests in the mid-Western States. In 1937 he was called to Washington, D. C. to have charge of all the Bureau's research on cereal and forage insects.

"Mr. Packard has rendered distinguished service to the Department and to the public, especially through his able leadership of the Division of Cereal and Forage Insect Investigations," Mr. Hoyt said. "Important progress in the control of major insect pests of grain and forage crops, such as grasshoppers, greenbugs, the European corn borer and the sugarcane borer, as well as pests of stored grain and cereal products, has resulted from the research carried on under his direction during the past 13 years."

Mr. Packard was born in Cummington, Mass. He received the B. S. degree in entomology from the Massachusetts Agriculture College in 1913, and an M. S. degree from the University of California in 1925. He is a member of the American Association for the Advancement of Science, the American Association of Economic Entomologists, and the Entomological Society of America.

P. A. HOIDALE TO HEAD USDA's GRASSHOPPER CONTROL DIVISION

(Press Notice)

October 31, 1950

The important cooperative grasshopper, Mormon cricket, and chinch bug control programs of the United States Department of Agriculture will be under new leadership beginning November 1, 1950, Avery S. Hoyt, chief of the bureau of

Entomology and Plant Quarantine announced today. Paul A. Hoidale, present leader of the Bureau's Division of Mexican Fruit Fly Control has been selected to succeed Dr. Claude Wakeland as leader of the Division of Grasshopper Control with headquarters at Denver, Colo.

"The change in leadership is being made to comply with the request of Dr. Wakeland of more than a year ago to be relieved of the heavy administrative responsibilities for reasons of health," Mr. Hoyt said.

Mr. Hoidale has wide experience in the administration of various insect control projects of the Department. From 1917 to 1927 he was employed by the Federal Horticultural Board on pink bollworm control work in Texas. In 1927 he was transferred to the then Bureau of Entomology to have field charge of activities in Texas leading to the control and eradication of the Mexican fruit fly. During 1929 and 1930 he was stationed at Atlanta, Ga., and Orlando, Fla., where he also had direct field charge of the Mediterranean fruit fly eradication work in Florida and related quarantine activities. Since 1931, from headquarters at Harlingen, Texas, he has directed Mexican fruit fly control and regulatory activities of the Department, a project of great importance to the citrus industry of this country.

Upon relinquishing his administrative duties as division leader, Dr. Wakeland will be chiefly concerned with the important task of bringing together and evaluating information on the development and evolution of organized control and on the effects of parasites, diseases, and other natural control factors on grasshoppers, Mormon crickets, and chinch bugs. This will be of value to research workers and others concerned with the development of better, cheaper, and more practical ways of combatting these major agricultural pests. This work will be carried on from the Denver headquarters in close cooperation with the many State and Federal entomologists who long have been associated with the efforts to control these pests. This will permit drawing on Dr. Wakeland's years of experience in grasshopper control work as a consultant in technical problems that may arise. "Some of the greatest advances ever made in organized grasshopper control have taken place during the past 3 years under the leadership of Dr. Wakeland and I know of no one better qualified to carry out this important new assignment," Mr. Hoyt said.

Dr. Wakeland is a graduate of Colorado A. and M. College and holds a Ph. D. from Ohio State University. His active carreer as an entolomogist began in 1914 with the Colorado Agricultural Experiment Station. In 1920 he was appointed extension entomologist with the University of Idaho and in 1929 was made head of the Department of Entomology at that University. He joined the United States Department of Agriculture in 1938 as project leader on Mormon cricket control in the Bureau of Entomology and Plant Quarantine and the following year was made field director of the combined grasshopper and Mormon cricket control programs. In 1942 he was made leader of the newly created Division of Grasshopper Control and has since, from headquarters at Denver, directed the large scale cooperative programs with the States in the control of grasshoppers, Mormon crickets, and chinch bugs.

ROHWER TO SPEARHEAD AGRICULTURAL RESEARCH ADMINISTRATION DEFENSE ACTIVITIES

(Press Notice)

DECEMBER 28, 1950.

Appointment of Dr. S. A. Rohwer, veteran entomologist of the Department of Agriculture, as special assistant for defense in the Agricultural Research Administration was announced today by Dr. P. V. Cardon, Agricultural Research Administration Administrator. His appointment becomes effective January 2.

In his new position Dr. Rohwer will be the Administrator's special representative in spearheading Agricultural Research Administration defense efforts. He will represent the Administrator in relationships with the Production and Marketing Administration under the Defense Production Act and related executive and administrative orders; and activities coming within the purview of the National Security Resources Board. He will be Agricultural Research Administration liaison officer with the Federal Civil Defense Administration, and with the Munitions Board and the Research and Development Board of the Defense Department.

Agricultural Research Administration will be extensively involved in protection of the Nation against biological warfare on crops and livestock as indicated in the new publication "Health Services and Special Weapons Defense," released Decem-

ber 27. Dr. Rohwer's responsibilities will fall primarily within the fields of broad relationships policy development or modification for defense purposes, and the integration and coordination of program planning for the approval of the Administrator. As the Administrator's representative he will counsel with the several Agricultural Research Administration bureaus on activities related to defense. The bureaus, however, will continue to be responsible for program planning and operations within their assigned functional areas.

During World War II Dr. Rohwer presented the needs for insecticide chemicals to the War Production Board, representing the Nation's farmers and the insecticide industry. He also served as special representative of the Department as advisor to several war agencies, in dealing with insect control policies and programs. For his service during the war he was awarded the Superior Service Award by the Secretary of Agriculture in 1947.

Dr. Rohwer came to the Department in 1909 as a research entomologist, and became an authority on the identification of insects, specializing in parasitic insects. He later served as business manager of the Bureau of Entomology.

In 1928 he became assistant chief of the Plant Quarantine and Control Administration. Three years later he returned to the Bureau of Entomology as assistant chief. When these agencies were merged in 1934 he continued as assistant chief, and later was designated as assistant chief, in charge of regulatory activities.

Dr. Rohwer is a native of Telluride, Colo. He attended the University of Colorado, which honored him with a Doctor of Science degree in 1948. He is a member of numerous scientific societies, including the American Association for the Advancement of Science, American Association of Economic Entomologists, (past president), Entomological Society of America (fellow), Entomological Society of Washington (past president). He is also a member of the Cosmos Club of Washington. His home address is 3103 Key Boulevard, Lyon Village, Arlington, Va.

B. E. P. Q. 455 Revised, Supplement No. 2

November 24, 1950.

PLANT QUARANTINE IMPORT RESTRICTIONS, BRITISH COLONY OF BERMUDA

ORANGES AND GRAPEFUIT EMBARGOED

Despatch No. 59 from the American Consul, Hamilton, Bermuda, dated October 3, 1950, reads as follows:

"The importation of oranges and grapefruit into Bermuda from the United States and Canada will not be permitted after September 30, 1950."

Avery S. Hoyt,
Chief, Bureau of Entomology and Plant Quarantine.

B. E. P. Q. 379, Revised, Supplement No. 4

October 20, 1950.

PLANT QUARANTINE IMPORT RESTRICTIONS, REPUBLIC OF BRAZIL

OLIVE PLANT QUARANTINE RESTRICTIONS

Decree No. 348 of May 12, 1950, "Diario Oficial" of May 25, 1950

According to the above decree the importation of plants, branches and buds of olive trees (*Oleo europea* L.) and other oleaceous species, into any part of Brazil is prohibited, unless it is declared in the phytosanitary certificate that the plants, branches and buds come from producing areas where the disease commonly called "olive tuberculosis" (*Pseudomonas savastanoi* (E. F. Smith) Stevens) does not exist, and that the plants, branches and buds are free from the disease and other injurious pests.

After all the requirements listed above are complied with, the plants, branches and buds will be held in quarantine for at least 45 days, and the interested parties will not be allowed to remove the material before authorized to do so by the Plant Protection Service.

(From American Embassy, Rio de Janeiro Despatch No. 407, September 14, 1950.)

F. C. Bishopp,
Acting Chief, Bureau of Entomology and Plant Quarantine.

B. E. P. Q. 514, Revised, Supplement No. 1

September 22, 1950.

PLANT QUARANTINE IMPORT RESTRICTIONS, DOMINION OF CANADA

AMENDMENTS TO DESTRUCTIVE INSECT AND PEST REGULATIONS

(P. C. 2805 dated June 9, 1950)

The following amendments to the Destructive Insect and Pest Regulations should be substituted for the paragraphs beginning with Paragraph (3) under section 10 at the bottom of page 6 in B. E. P. Q. 514, Revised, and including all of page 7. On page 8 the statement in parenthesis under the subhead "Corn and Corn Products from the United States" should be deleted and the new paragraph (8) (*a*) substituted for the material at the bottom of page 8 and the top of page 9. Paragraph (8) (b) remains unchanged.

Other amendments refer to domestic regulations.

Part II, Section 10.

Paragraph (3):

All nursery stock from Gypsy moth or Brown-tail moth areas, including all plants for the purpose of propagation or further growth, but not including plants grown in and shipped from a greenhouse, flower bulbs or perennial roots; the foliage of conifers, holly and laurel, except when used in floral funeral pieces; forest products, including logs, tan bark, posts, poles, railway ties, cordwood and lumber; and stone and quarry products from the States of Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and Vermont, and from such areas of the States of New York and Pennsylvania as may be regulated from time to time under the Gypsy and Brown-tail Moth Quarantine maintained by the United States Department of Agriculture or by a State Department of Agriculture, unless accompanied by a certificate of inspection, issued and signed by an authorized officer of the United States Department of Agriculture or a State Department of Agriculture, establishing that the shipment was examined and found free from infestation by either the Gypsy moth or Brown-tail moth.

Paragraph (5):

All species, hybrids and horticultural varieties, including the seeds, of the genus *Castanea* from Europe, Asia and the United States of America unless each importation is accompanied by a certificate issued and signed by an authorized officer of the country of origin to the effect that the plants (including seeds) covered by the certificate are believed to be resistant to the chestnut bark disease, *Endothia parasitica* (Murr) A. A.

Paragraph (6):

(a) All hybrids and horticultural varieties of sweet cherry, *Prunus avium* (including Mazzard seedling stock), sour cherry, *P. cerasus*, chokecherry, *P. virginiana* (including var. *demissa*), Mahaleb cherry, *P. mahaleb*, peach, *P. persica*, and nectarine, *P. persica* var *nectarina*, including trees, root stock, cuttings, scions, budsticks, seeds, and cherry pollen from the United States of America unless each shipment is accompanied by a certificate issued and signed by an authorized officer of a State or the Federal Department of Agriculture, establishing that the material included in the shipment originated in and was shipped from a nursery that had been inspected by an authorized officer and that the virus diseases Little Cherry, Albino Cherry, Cherry Buckskin and Pink Fruit are not known to occur, either in the nursery or within twenty miles of its boundaries.

(b) Root stocks and trees of all species, hybrids and horticultural varieties of peach or nectarine from the United States of America unless each shipment is accompanied by a certificate issued and signed by an authorized officer establishing that the virus diseases Phony Peach and Peach Mosaic are not known to occur, either in the nursery or within one mile of its boundaries.

(c) All species, hybrids and horticultural varieties of peach or nectarine root stock, trees, cuttings, scions and budsticks to the Province of British Columbia from the United States of America unless each shipment is accompanied by a certificate issued and signed by an authorized officer establishing that the virus diseases Peach Yellows and Little Peach are not known to occur, either in the nursery or within one mile of its boundaries.

Paragraph (8):

(a) All corn stalks, including sorghums, broom corn and popcorn, whether used for packing or other purposes, green sweet corn, corn on the cob, shelled corn and corn cobs, into the Provinces of Manitoba, Saskatchewan, Alberta and British Columbia, from the States of North Dakota, South Dakota, Nebraska, Kansas, Missouri, Tennessee, North Carolina and all states east and north thereof in the United States of America, unless

(i) the corn and corn parts specified herein have been manufactured or processed in such a manner as to eliminate all risk of carriage of the European corn borer, *Pyrausta nubilalis* Hbn., or

(ii) each shipment is accompanied by a certificate issued and signed by an officer of a State or the Federal Department of Agriculture, establishing that each such shipment has been fumigated in a vacuum or air-tight vault as prescribed in the schedule hereunder, or

(iii) each shipment of shelled corn is accompanied by a certificate issued and signed by an officer of a State or the Federal Department of Agriculture stating that the corn has been examined and found free from the European corn borer, *Pyrausta nubilalis* Hbn., and corn cob and corn stalk debris.

F. C. Bishopp,
Acting Chief, Bureau of Entomology and Plant Quarantine.

B. E. P. Q. 445, Supplement No. 6

October 24, 1950.

PLANT QUARANTINE IMPORT RESTRICTIONS, REPUBLIC OF COSTA RICA, CENTRAL AMERICA

AMENDMENTS TO PLANT QUARANTINE REGULATIONS

According to information supplied by the American Embassy, San Jose, Costa Rica, concerning amendments to the regulations governing the importation of plants, seeds, etc., into Costa Rica the following action has been taken:

Presidential Decree No. 14 of November 8, 1929, on which the summary for Costa Rica on pages 5 and 6 of B. E. P. Q. 445 was based, was amended by Decree No. 701 of La Junta Fundadora of the Second Republic, published in La Gaceta No. 205, September 13, 1949, to be effective on that date.

The amendments add cacao to coffee and sugarcane as plants which may not be imported by private persons, although at least one official agency, The National Agricultural Center, is permitted to import such plants for research. The unrestricted entry of several classes of seeds provided for in Article 6 of Decree No. 14 has been revoked.

In the interim since 1929 a Plant Protection Service (Servicio de Sanidad Vegetal) has been set up in the Department of Agriculture which has taken over the inspection duties previously carried on by the National Agricultural Center.

DECREE NO. 701, EFFECTIVE SEPTEMBER 13, 1949

Article 1 amends Articles 1 and 2 of Decree No. 14 of November 8, 1929 as follows:

Article 1. Private persons are prohibited from importing live plants, seeds and reproductive parts of any species and varieties of the genera *Coffea*, coffee, *Saccharum*, sugarcane, and *Theobroma*, cacao. The importation of other reproductive

plants which in the judgment of the Department of Agriculture may be injurious to national agriculture, is likewise prohibited.

(Importation restricted to official agency. See Article 5 below.)

Article 2. The license for the importation of live plants or parts thereof such as roots, tubers, bulbs, rhizomes, sprouts, etc. and seeds of forage and vegetable plants for planting or immediate consumption, as well as ornamental and forest plants, shall be applied for at the Department of Agriculture. The Department will examine said reproductive plants as soon as they arrive in the country and if they are found in perfect sanitary condition, it shall advise the interested parties and the Ministry of Finance so that the plants may be cleared through the Customhouse.

Article 3 of Decree No. 14 was not revoked by Decree No. 701. Apparently the authority for the destruction of plants found infested or infected without the right of indemnity remains in force.

Article 4 of Decree No. 14 referred to inspection procedure which is now performed by the Department of Agriculture. (See Article 2 above.)

Article 5 of Decree No. 14 remains in force. It authorizes the National Agricultural Center to import any kind of plants and parts thereof exclusively for research in its experiment stations without observing the procedures required by the decree.

Article 2 of Decree No. 701 revokes Article 6 of Decree No. 14 which provided for the unrestricted entry of several classes of seeds.

Article 3 of Decree No. 701: Effective date.

S. A. Rohwer,

Acting Chief, Bureau of Entomology and Plant Quarantine.

B. E. P. Q. 403, 2d Revision

October 23, 1950.

PLANT QUARANTINE IMPORT RESTRICTIONS, REPUBLIC OF FRANCE

This revision of the plant quarantine import restrictions of France incorporates supplements 1–4 of B. E. P. Q.–403, Revised, in the present summary, and includes recent orders of the Minister of Agriculture which add more plant diseases to the list of parasites appended to Ministerial Order of August 1, 1946. It has been prepared for the information of nurserymen, plant quarantine officials and others interested in the exportation of plants and plant products to France.

The circular was prepared by Richard Faxon, Division of Foreign Plant Quarantines, from ordinances and Ministerial orders furnished by the American Embassy in Paris.

The information contained in this circular is believed to be correct and complete up to the time of preparation, but it is not intended to be used independently of, nor as a substitute for, the original texts, and it is not to be interpreted as legally authoritative.

S. A. Rohwer,

Acting Chief, Bureau of Entomology and Plant Quarantine.

PLANT QUARANTINE IMPORT RESTRICTIONS, REPUBLIC OF FRANCE

BASIC LEGISLATION

Ordinance No. 45–2627 of November 2, 1945, by the Provisional Government concerning the protection of plants.

Order of August 1, 1946, by the Minister of Agriculture.

Orders of June 18, 1948, and December 1, 1949, by the Ministers of Agriculture and Finance.

Various earlier decrees and orders remain in force and subsequent orders have been issued, as noted in the text, to carry out the intent of the ordinance.

SUMMARY

The importation into France of plants and parts of plants from the United States is permitted only in accordance with the conditions of a special import license which may be issued by the Minister of Agriculture.

IMPORTATION PROHIBITED

Plants or parts of plants from countries where the insects or plant diseases listed under A or A′ in the Ministerial Order of August 1, 1946, have been noted, except those entering in accordance with the conditions of a special import license granted by the Minister of Agriculture. This general prohibition has certain specific application in accordance with the following decrees and orders regulating the importation of plants in order to prevent the introduction of the pests noted.

Grapevines, cuttings, leaves, vineyard props, compost. Grape phylloxera (*Phylloxera vitifoliae* Fitch), Decree of May 15, 1882.

Dodder (*Cuscuta* spp.) seeds, and forage seeds containing dodder. Decree of February 21, 1908 and Order of March 10, 1908.

Potatoes (*Solanum tuberosum* L.) infected with potato wart (*Synchytrium endobioticum* (Schilb) Perc.). Decree of December 19, 1910 and Order of June 6, 1924.

Plants of the genera *Abies*, *Picea*, *Pinus*, *Pseudotsuga*, and *Tsuga*. Needle cast disease (*Rhabdocline pseudotsugae* Syd.). Decree of November 26, 1930.

Living plants and parts thereof. San Jose scale (*Aspidiotus perniciosus* Comst.). Decree of March 8, 1932 Order of November 19, 1948.

Resinous wood and bark, or in pieces covered wholly or in part by bark, as well as the bark waste of such wood. Order of March 18, 1948.

IMPORTATION RESTRICTED

Bees, honey and beeswax must be certified as free from contagious bee diseases. Supplement No. 51, Bulletin of International Bureau, Universal Postal Union. May 23, 1947.

Fresh fruits from the United States are permitted entry when certified as free from insects and plant diseases including San Jose scale (*Aspidiotus perniciosus* Comst.), apple maggot (*Rhagoletis pomonella* Walsh), bitter rot (*Glomerella cingulata* (Ston.) Spauld. and Schrenk), and Florida red scale (*Chrysomphalus aonidum* L.).

Dahlia tubers and cuttings must be certified as originating from selected stock and free from virus diseases. Order of December 29, 1949.

Plants and parts of plants are subject to inspection on arrival in France. Order of June 18, 1948.

Grass seed for forage must meet certain standards. Law of January 11, 1932, from Supplement No. 51 quoted above.

GENERAL REGULATIONS

Ordinance No. 45–2627, November 2, 1945

This ordinance, promulgated by the Provisional Government of the French Republic, concerns the protection of plants. In Article 1 the Minister of Agriculture is authorized to list the agricultural pests against which defense measures are to be taken. (The list of pests is set forth in the Ministerial Order of August 1, 1946).

Chapter I, Articles 2–6, Plant-defense groups established.

Chapter II, Articles 7–14, Defense measures described.

Article 7. Except as authorized by the Minister of Agriculture for experimental purposes, it is forbidden to introduce into France, or knowingly to keep, or to transport, any parasite considered dangerous as specified in Article 1, whatever their stage of development may be (adult, eggs, larvae, nymphs, seeds, germs, etc.).

Article 8. Orders issued by the Minister of Agriculture will define the conditions for the movement in France of plants or parts of plants, of soils, manures and composts, and of bags and other wrappings that might harbor parasites classed as dangerous. These orders will be signed by the Minister of Finance also when they are concerned with the importation of these materials and products, or are affected by customs regulations. Import prohibitions may be declared.

(A Ministerial Order on the sanitary control of imported plants and plant products, signed by the Ministers of Agriculture and of Finance and Economic Affairs was issued June 18, 1948 and amended December 1, 1949.)

Chapter III, Articles 15–18, deals with inspection of nurseries.

Chapter IV, Articles 19–22, relates to import and export control.

Article 22 states that expenses of all types resulting from carrying out sanitation measures applicable to imports of plants, plant products and other material which may introduce injurious animal or vegetal organisms into France, must be borne by the importers, even when infested products are refused entry or destroyed.

Chapter V, Articles 23–28 lists penalties and nullifies laws and decrees.

MINISTERIAL ORDER OF AUGUST 1, 1946, MINISTER OF AGRICULTURE

Defense measures against animal and vegetal parasites of plants

Article 1. Animal and vegetal parasites which are recognized as being dangerous to French plant culture, are inscribed in the lists A, A′ and B appended to the present order. (The procedure to be followed in combatting the pests in the three categories varies according to the danger involved. Export certification is chiefly concerned with the pests listed under A and A′.)

Article 2. The importation of plants, or parts of plants, from countries where the presence of any parasite listed on A or A′ has been noted, is forbidden.

A special import license may be granted, however, which will indicate the conditions of entry and the special customs offices where such an entry can be effected.

(In response to any inquiry as to how the special import licenses would be issued for fresh fruit exported from the United States to France, the French Ministry of Agriculture replied in April 1947 as follows (in translation):

"The decree of 8 March 1932 prohibits the import (into France) of plants, or parts of plants, from countries declared infected with the San Jose scale.

"As for fresh fruits, the general derogation accorded before the war is still valid on condition that the fruit be accompanied by a sanitation certificate and that the shipment be made direct from the country of origin to the point of entry into France." (See also San Jose Scale Regulations, p. 7.)

Articles 3 and 4 describe methods of control administered by the Service of Plant Protection and designate the responsible agencies.

Lists appended to Ministerial Order of August 1, 1946

A. Parasites which must be destroyed at all times, in all places.

INSECTS

Acanthoscelides obtectus Say, bean weevil.
Callosobruchus maculatus (F.), cowpea weevil.
Ceratitis capitata Wied., Mediterranean fruit fly.
Chrysomphalus aonidum L., Florida red scale.
Chrysomphalus dictyospermi Morg., dictyospermum scale.
Pseudaulacaspis pentagona Targ., white peach scale.
Dreyfusia nordmannianae Eckst., silver fir aphid.
Iridomyrmex humilis Mayr., Argentine ant.
Lampetia equestris F., narcissus bulb fly.
Grapholitha molesta Busck, oriental fruit moth.
Leptinotarsa decemlineata Say, Colorado potato beetle.
Lymantria monacha L., nun moth.
Icerya purschasi Mask., cottony-cushion scale.
Gnorimoschema operculella Zell., potato tuberworm.
Aspidiotus perniciosus Comst., San Jose scale.

PHANEROGAMS

Cuscuta spp., dodder

CRYPTOGAMS, BACTERIA AND VIRUSES

Bacillus amylovorus (Burr.) Trev., fire blight.
Endothia parasitica (Murr.) And. & And., chestnut blight.
Glomerella cingulata (Ston.) Spauld. and Schrenk, bitter-rot.
Melanconium fuligineum (Scrib. and Viala) Cav., bitter-rot.
Nectria galligena Bres., European canker.
Phytomonas michiganense EFS., bacterial canker.
Plowrightia morbosa (Schiv.) Sacc., black-knot.
Rhabdocline pseudotsuga Syd., needle cast.
Synchytrium endobioticum (Schilb.) Perc., potato wart.
Chancre suintant du Peuplier, bleeding canker of poplar.
Virus diseases of grape.
Virus diseases of potato.
Virus disease of dahlia, Order of December 19, 1949.
Virus diseases of Aurantiaceous (Citrus) group. Order of May 10, 1950.

EELWORMS

Heterodera rostochiensis Woll., golden nematode of potatoes. Order of August 1, 1949.

A′. Foreign parasites for which special control measures are prescribed in the event such parasites are introduced into France.

Blissus leucopterus Say, chinch bug.
Chrysobothris mali Horn, Pacific flatheaded borer.
Chrysobothris femorata Oliv., flatheaded apple tree borer.
Conotrachelus juglandis Lec.
Conotrachelus nenuphar Herbst., plum curculio.
Epilachna varivestis Muls., Mexican bean beetle.
Popillia japonica Newm., Japanese beetle.
Rhagoletis pomonella Walsh, apple maggot.
Rhynchites heros Roelf, peach weevil.

B. Parasites and small animals, the multiplication of which may at certain times become a danger calling for special measures in certain defined areas.
(A long list of local interest but of no concern in export certification.)

Ministerial Order of June 18, 1948, as amended December 1, 1949

MINISTERS OF AGRICULTURE AND OF FINANCE AND ECONOMIC AFFAIRS

SANITARY CONTROL OF IMPORTED PLANTS AND PLANT PRODUCTS

Article 1. The vegetable products listed below coming from any source (foreign French Overseas Territories, Algeria, Overseas Departments), cannot be imported into Metropolitan France under any customs status (except in international transit from foreign country to foreign country), before having been submitted, at the time of their passage through customs at the geographic border or at one of the internal customs offices mentioned in Article 3 below, to inspection by the Plant Protection Service, even if accompanied, according to their origin and the nature of the goods, either by phytopathological or sanitary certificates issued by competent authorities of the country of origin, or by a certificate of origin.

Living plants and floricultural products, except flowers and dried or dyed foliage.

Vegetables, plants, edible roots and tubers, except dried, dehydrated or evaporated vegetables, and roots and tubers of high starch content.

Edible fruits.

Green coffee in all forms.

Pimento, peppers (of Capsicum type, except bell pepper (*Capsicum grossum*), and pimenta), paprika and others.

Seeds and fruits for planting, except grass seeds and particularly ryegrass seeds.

Osier, crude or split.

Cocoa beans, whole or broken (unroasted); husks, skins, shoots and peels of cocoa.

Also containers used or that have been used for the transport of these products, earth, leaf-moulds, composts and manures intended for cultivation.

When the inspection of the products discloses the presence of any of the insects and diseases harmful to plants appearing in the lists A and A′ of the order of August 1, 1946, the agent of the Plant Protection Service will take all measures that he may deem necessary.

Article 2. The Plant Protection Service has authority to make a complete or partial examination of all other vegetable products, either crude or processed, and the containers used with them, to determine the presence of insects and plant diseases.

Article 3. The products listed in Article 1 of the present order cannot be imported, except through the following customs offices:

Ajaccio, Ajaccio Campo di Loro.
Bayonne, Bellegarde, Bordeaux, Bordeaux-Merignac, Boulogne, Brest.
Caen, Caen-Carpiquet, Canfranc, Cerbere, Cherbourg.
Dieppe, Dunkerque.
Hendaye (station and road).
Jeumont.
Kehl-Strasbourg.
La Rochelle-Pallice, le Bourget, le Havre, le Perthus, Lille-Lesquin, Lyon, Lyon-Bron.
Marseille, Marseille-Marignane, Modane.
Nantes, Nice, Nice-le-Var.
Orly.
Paris, Perpignan-Llabanere, Port-la-Nouvelle, Port-Vendres.
Risquons-Tout (road), Rouen.
Saint-Louis (station and road), Saint-Malo, Saint-Nazaire, Sete, Strasbourg-Entzheim
Thionville, Toulouse, Toulouse-Blagnac, Tourcoing (station).
Vallorbe, Vintimille.

SPECIAL DECREES AND ORDERS

PHYLLOXERA REGULATIONS

Decree of May 15, 1882, implements the International Phylloxera Convention signed at Berne November 3, 1881, and prohibits the importation into France from the United States of grapevines, cuttings, leaves, used vineyard props, composts and manures. The Berne Convention absolutely excluded rooted grapevines and cutttings from international circulation. The phylloxera regulations provided for conditional importation of plants other than grapevines. However, such importations can now be made only under special import license.

DODDER (*Cuscuta* spp.)

Decree of February 21, 1908, and Order of March 10, 1908

The decree prohibits the importation into France of seeds of the plant parasite dodder (*Cuscuta* spp.). The prohibition applies also to forage-crop seeds that upon inspection are found to contain dodder seeds; especially alfalfa (*Medicago sativa* L.), red clover (*Trifolium pratense* L.), white clover (*T. repens* L.), alsike clover (*T. hybridum* L.), kidney vetch (*Anthyllis vulneraria* L.), birdsfoot trefoil (*Lotus corniculatus* L.), and timothy (*Phleum pratense* L.).

The Order of March 10, 1908, prescribes the method of sampling of alfalfa and clover seed.

POTATO WART

Decree of December 19, 1910, and Order of June 10, 1924, prohibit the importation of potatoes infected with wart disease (*Synchytrium endobioticum* (Schilb.) Perc.).

WHITE PEACH SCALE

Decree of October 12, 1913, modified by Decree of April 20, 1920, restricts the entry of woody plants from Italy to prevent the introduction of white peach scale (*Pseudaulacaspis pentagona* Targ.).

NUN MOTH

Decree of December 1, 1921, prohibits the importation of forest products from Czechoslovakia which might carry infestations of nun moth (*Lymantria monacha* L.).

NEEDLE CAST OF CONIFERS

Decree of November 26, 1930, prohibits the importation of plants and parts of plants belonging to the genera *Abies, Picea, Pinus, Pseudotsuga*, and *Tsuga* from all countries on account of the danger of introducing needle cast disease (*Rhabdocline pseudotsugae* Syd.).

SAN JOSE SCALE REGULATIONS

Decree of March 8, 1932, and Order of November 19, 1948

The above decree and order are concerned mainly with imports of living plants and parts thereof, including fresh fruits, which may carry San Jose scale. Shipments of lily bulbs from Japan are also included and Japanese beetle mentioned.

Living Plants and Parts Thereof

Article 1. The importation into France is prohibited of living plants and parts thereof (trees, shrubs, nursery products, cuttings and other plant parts) originating or coming from the following countries where the presence of *Quadraspidiotus perniciosus* (San Jose scale) has been established: South Africa, Algeria, Germany, Argentina, Austria, Australia, Canada, Chile, China, Spain, the United States of America, Hungary, Hawaii, Italy, Japan, Mexico, Portugal, Rumania, Switzerland, the Union of Soviet Socialist Republics, Uruguay, Yugoslavia and New Zealand. This probibition also applies to containers which are used for transporting the above items.

Fresh Fruits

Article 2. The entry into France of fresh fruits originating in, or coming from, countries infested by the San Jose scale, is authorized, provided:

1. That the entry is made through the customs offices listed in the Ordes of June 18, 1948 as amended by Order of December 1, 1949.

2. That the shipments be accompanied by a phytosanitary certificate in Form 1 (Identical with EQ–926) issued by competent authorities of the country of origin guaranteeing that the fruits are not carriers of San Jose scale.

3. That sanitary inspection be effected at the customs by an agent of the Plant Protection Service who will grant free entry if the fruits are found to be healthy, or order their destruction or return abroad in the contrary case.

Article 3. Deals with regulations affecting countries free from San Jose scale.

EXCEPTIONS

Article 4. Derogations to the terms of Article 1 may be made as follows:

1. Under specified conditions, permits may be granted by the Minister of Agriculture, for the import of live plants or parts thereof, for study or research.

2. Lily bulbs from Japan.

Article 5. Transit through French territory.

1. Imports must be through customs stations as above.

2. Shipments must be securely packed to prevent leakage, e. g. cases, barrels, light wooden boxes.

3. Transfers from ship to shore will be under the supervision of the Plant Protection Service.

Article 6. Refers to countries free from San Jose scale.

Article 7. All previous regulations governing the entry into and transit through France of live plants and parts thereof, including fresh fruits, which may differ from the present Order, are hereby rescinded.

Article 8. Designates responsible officers and states that the Order will be effective 90 days after its publication in the Official Journal. The effective date is therefore March 4, 1949.

RESINOUS WOOD

Ministerial Order of March 18, 1948, Minister of Agriculture and Secretary of State for the Budget

Article 1. The importation into France of resinous wood from all countries is prohibited with bark or in pieces when they are covered wholly or in part by their bark, as well as the bark waste of the said wood.

DAHLIA TUBERS

Order of December 29, 1949

The importation into France from all foreign countries of dahlia tubers and cuttings is dependent upon the presentation of a certificate of control as to selection and phytopathological inspection, to be furnished by the official authorities of the country of origin, attesting specifically that the products originated exclusively from selected stock and are free from virus diseases.

GRASS SEED FOR FORAGE

According to the Law of January 11, 1932, as it appears in Supplement No. 51 to the Bulletin of the International Bureau of the Universal Postal Union, May 23, 1947, the importation into France is prohibited of:

(1) Mixed grass seeds for forage purposes;

(2) Grass seeds intended for forage but which are unfit for sowing.

The following are deemed unfit for sowing:

(1) Grass seeds containing more than 5 percent of soft chess (*Bromus mollis* L.), or of annual fescue grasses (*Festuca* Section *Vulpia*).

(2) Grass seeds that do not attain the following minimal percentages of purity and germination:

	Percent purity	*Percent germinability*
Agrostis spp., bent grass	50	50
Alopecurus pratensis L., meadow foxtail	50	45
Anthoxanthum odoratum L., sweet vernal grass	70	50
Avena elatior—Arrhenatherum elatius (L.) Mert. & Kock, tall oat grass	70	50
Avena flavescens—Trisetum flavescens (L.) Beauv., golden oat grass	50	45
Bromus pratensis—B. commutatus Schrad., meadow brome grass	70	50
Cynosurus cristatus L., crested dogtail grass	80	60
Dactylis glomerata L., orchard grass	70	50
Festuca ovina L.,sheeps fescue	70	50
Festuca pratensis—F. elatior L., meadow fescue	80	60
Festuca rubra var. *heterophylla* Mutel., various-leafed fescue	65	50
Holcus lanatus L., velvet grass	40	60
Lolium italicum—L. multiflorum Lam., Italian rye grass	80	60
Lolium perenne L., English ryegrass	80	60
Lolium perenne var. *pacyi* Sturtev., Pacey ryegrass	80	60
Phleum pratense L.,timothy	80	70
Poa nemoralis L., wood meadow grass	70	50
Poa pratensis L., Kentucky bluegrass	70	50

HYBRID SEED CORN

1. Seed strains will not be admitted in quantity if they have not been tested in advance in France.
2. 1950 plans.
3. The authorities are chiefly interested in testing those varieties for which they can get the parent stock for reproduction in France.

(From despatch 1146 dated May 2, 1950, from the Agricultural Attaché, American Embassy, Paris.)

BEES

According to Supplement No. 51 as above, bees, either as colonies or queen bees, honey and beeswax in any form, may not enter France unless accompanied by a certificate of origin and freedom from disease issued by a veterinary or some other qualified official authorized by the government. The certificate must show that no contagious bee diseases have occurred in the locality concerned for at least six months previous to date of issue.

B. E. P. Q. 444, 3d Revision

November 24, 1950.

PLANT QUARANTINE IMPORT RESTRICTIONS, FRENCH ZONE OF MOROCCO

This review of the plant quarantine import restrictions of the French Zone of Morocco appears to be necessary due to recent changes in the laws and decrees of that country. It has been prepared for the information of nurserymen, plant quarantine officials, and others interested in the exportation of plants and plant products to Morocco.

The circular was prepared by Richard Faxon, Division of Foreign Plant Quarantines from Dahirs and Devrees furnished by the French Embassy through the Department of State to the Department of Agriculture under date of September 9, 1950.

The information contained in this circular is believed to be correct and complete up to the time of preparation, but it is not intended to be used independently of, nor as a substitute for, the original texts, and is not to be interpreted as legally authoritative. The original dahirs and decrees should be consulted for the exact texts.

Avery S. Hoyt,
Chief, Bureau of Entomology and Plant Quarantine.

PLANT QUARANTINE IMPORT RESTRICTIONS, FRENCH ZONE OF MOROCCO

BASIC LEGISLATION

Dahir of September 20, 1927, as modified by the Dahirs of September 26, 1949, and June 2, 1950.

Various decrees have been promulgated to implement the above legislation, the latest being the Decree of June 20, 1950, by the Director of Agriculture, Commerce and Forests.

SUMMARY

Phytosanitary certificates are required for importations of potatoes, tomatoes and eggplant only, and should conform to a prescribed model.

Copies of commercial invoices, certified by shippers or importers, are required with importations of seedlings, layers, cuttings, scions, bulbs, tubers, roots, rhizomes and cut flowers.

Import permits and consular visas are not required.

Ports of entry for restricted plants and plant products are Casablanca, Port Lyautey and Oujda as a general rule. (See Article 1, Decree of June 20, 1950.) Under certain conditions inspections of restricted material may be made at other ports. (See Article 5.) Importations by air are limited to certain airports. (See Article 7.)

IMPORTATION PROHIBITED

Seeds of dodder (Cuscuta spp.).

Live insects in any stage, slime molds, fungi and bacteria, except for scientific study.

Living plants, culms, straw, leaves, roots, husks, rachises and inflorescences of corn, sorghum, millet, hemp, except seeds, fiber and cut flowers; whole plants, living or dried, of the giant reed (Arundo donax L.), except peeled or split stems used as packing.

IMPORTATION RESTRICTED

Cut flowers must be accompanied by certified commercial invoice.

Forage crop seeds of the genera Medicago, Trifolium, Lotus and Anthyllis are subject to examination for dodder (*Cuscuta* spp.).

Fungi, yeasts, molds and bacteria of economic or health interest, also subject to examination.

Hay must be in mechanically compressed and bound bales.

Insects of economic importance—Certain honey-producing and silk-producing insects.

Nursery stock, including seedlings, layers, cuttings, scions, bulbs, tubers, roots, rhizomes, must be accompanied by certified commercial invoice.

Plants and parts of plants subject to inspection.

Packing materials subject to inspection.

Potatoes, tomatoes, and eggplant must be accompanied by phytosanitary certificate.

GENERAL REGULATIONS

Dahir of September 20, 1927—Plant Quarantine Regulations of the French Zone of the Sherifian Empire —as amended by the Dahirs of September 26, 1949, and June 2, 1950.

FIRST TITLE

Definition of Plant Parasites

Article 1. The words "parasites of plants" denote in the text of the present Dahir, any animal or plant organism which, no matter what stage of development, causes or can cause injury or any other loss to wild plants of economic importance, to cultivated plants, to plant products belonging to these two categories, or is of such a character as to cause their decay or deterioration.

Prohibited Articles

The entry into or transit through the French Zone of the Empire is prohibited:

1. Of living insects;
2. Of insect eggs, larvae, chrysalids (nymphs or pupae) of insects when they are not preserved in liquids;
3. Cultures of slime molds, fungi, or bacteria.

The entry of dodder seeds (*Cuscuta* spp.) is likewise prohibited.

Exceptions

Article 2. Nevertheless, when the articles listed in the preceding paragraph are intended for the scientific services or official technical services, they may be admitted to entry on condition, however, that their packing shows all the necessary guarantees against their dispersal.

Article 3. A decree of the Director General of Agriculture, Commerce and Colonization determines the species of insects, slime molds, fungi or bacteria which may be admitted to entry or transit, when of economic or health interest, and the conditions under which they are admitted,

Article 4. The Director General of Agriculture, etc., and the Director of Health and Public Hygiene can likewise permit temporary derogations to the prohibitions provided in Article 1.

Restricted Articles

Article 5. The importation, transit and movement within the French Zone, and the exportation beyond that zone of the products and goods given in the following list are regulated by the provisions of the present Dahir.

1. All plants or parts of plants such as seedlings, layers, cuttings, scions, flower bulbs, cut flowers, fruits, fruit pits, vegetables, tubers, bulbs, rhizomes, roots, seeds, and in general, all plant waste;
2. Dung, plant manure, compost, soil, even if the latter forms a part of a package of living plants;
3. Cases, baskets, sacks, wrappers, covers, packing, vineyard props, and any other article or material that has been used for the transportation or handling of the products or goods above mentioned, the use of which might be dangerous to the healthy state of crops;
4. Logs, cork, bark, tanbark, posts, poles, railroad ties, and cordwood.
5. All products of plant origin, such as fruits and vegetables industrially dried, flours, food pastes, bran, oilcake, straw and hay.

SECOND TITLE

Importation and Transit

Article 6. The Director General is authorized to designate by decree the ports and frontier posts through which entry may be made for importation or transit of the objects enumerated in Article 5 above.

Inspection

Article 7. On their entry into the French Zone the said products or goods are subject to sanitary inspection by officers of the Director General who have the authority to order relading or destruction, at the choice of the consignee or his representative, when such inspection reveals the presence of plant pests. This should be done under Customs supervision.

The officials charged with sanitary inspection have the right of access to ships, railway cars, as well as all other vehicles, and may prevent the discharge of products and goods under their control. They can, in addition, draw samples from the shipments for inspection purposes to determine the presence of parasites.

The sanitary inspection provided for by this article may be extended, with the consequences permitted, to other products or goods not listed in Article 5 above, at any time the official charged with sanitary inspection may have reason to believe that they carry plant pests.

Disinfection and Fumigation

Every official charged with sanitary inspection can order the disinfection or fumigation of the products or goods listed in Article 5 when he establishes the presence of plant pests, or when they, by reason of their species, introduction, vegetative state, or their origin, may carry dangerous pests not apparent, or not revealed by inspection. These operations are not decided upon unless it is thought they may be undertaken with a chance of success. The disinfected or fumigated products may be retained for observation to permit of judging the result of the operation. In case it does not appear to be entirely efficacious, the products will be reladen or destroyed.

Disinfection or fumigation will be at the risk of the consignee and at his expense. The charges for the service will be fixed by a decree of the Director General. In case the operation is not acceptable to the consignee the products in question will be either reladen or destroyed.

Quarantine

The products or goods listed in the first paragraph of Article 5 intended for propagation may be held under observation for a variable time, either at the port or frontier post of arrival, or in an establishment chosen by the Director General. The conditions and date of application of this provision will be determined by a decree of the Director General.

Derogations

A decree of the Director General will determine if there is a reason, the products which by derogation will not be subject to the provisions of this article as well as Articles 6 and 9 relating to ports of entry and packing materials respectively.

Derogations will be recalled in the same manner.

Phytosanitary Certificate

Article 8. The list of products or goods in Article 5 whose importation must be accompanied by a phytosanitary certificate and a document attesting their origin, and the conditions to be met in the certification, will be determined by decree of the Director General.

Compliance with the provisions of this article does not exclude the sanitary inspection provided by Article 7 with all the consequences which it allows: reloading, destruction, disinfection, fumigation, etc.

Packing

Article 9. The packing of the products and goods listed in Article 5 must be made so as to permit of their examination, and if necessary, their disinfection or fumigation.

It should be possible to identify the packages with certainty, failing which, they will be reloaded or destroyed.

The opening of containers is made at the expense and risk of the consignee.

Seed Sampling

Article 10. The conditions for drawing seed samples from shipments of seeds entering the French Zone will be determined by decree of the Grand Vizier, excepting those entering in transit. Sampling is done at the expense of the importer at rates fixed by the same decree. Withdrawal of samples gives no right of indemnity.

Products Affected

Article 11. The provisions of this title are applicable to the products and goods listed in Article 5 whatever the means of transportation, even if brought in by members of ship's crews, or by the personnel of railroad or steamship companies, or any other public transportation companies.

Article 12. The importation and transit of certain products and goods listed in Article 5, or of certain others which come from designated countries or regions, may be prohibited by decree of the Grand Vizier.

Botanical Specimens

The provisions of this title are not applicable to dried plants intended for botanical collections.

Powers of the Grand Vizier

The Grand Vizier may by decree suspend the provisions in order to facilitate in frontier regions of the French Zone the exchange of plants with neighboring countries.

CONTROL OF IMPORTED PLANT MATERIAL

Decree of the Director of Agriculture, Commerce and Forests of June 20, 1950, relative to the sanitary inspection of imports of plants and plant products.

INSPECTION

Ports of Entry

Article 1. The importation or transit of the products or goods listed in Article 5 of the Dahir of September 20, 1927, if subject to inspection, treatment, quarantine, etc., may be effected only through the ports of Casablanca and Port Lyautey, or the frontier post of Oujda.

Disposal of Products

Article 2. Official report of sanitary inspection required. Treatments under supervision of an officer of the Plant Protection Service, and at the expense of the consignee. Charges payable before removal of treated goods. Consignee notified by Customs of relading or destruction. Delay of eight days allowed to consignee for compliance, after which goods are officially disposed of. Delay may be reduced if goods constitute a danger to public health or plant cultures. Official report of destruction required.

Commercial Invoice

Article 3. Shipments of seedlings (stocks), layers, cuttings, flower bulbs, tubers, bulbs, rhizomes and cut flowers, must be accompanied by a copy of a commercial invoice of the shipment duly certified by the exporter or importer, listing the species and botanical varieties, the name and address of the exporter and the place of origin, the name and address of the consignee, the weight of the packages and the particulars of the contents of each package.

Phytosanitary Certificate

A certificate of sanitary inspection is required in the case of or for the botanical varieties listed in Article 4 below.

Article 4. Shipments of potatoes, tomatoes and eggplant must be free from all parasites, especially:

Colorado potato beetle (*Leptinotarsa decemlineata* Say)

Golden nematode of potato (*Heterodera rostochiensis* Woll.)

Potato wart (*Synchytrium endobioticum* (Schilb.) Perc.) and be free from infection with the virus diseases Spindle tuber, nonmosaic crinkle, witches' broom, Canadian streak and calico.

Shipments must be entirely free from soil, tops and other debris.

Such shipments must satisfy the following conditions:

(*a*) Have been inspected at the port of departure by an officer of the official plant protection service of the country of origin;

(*b*) Have been packed at the port of departure;

(*c*) Importation allowed only of sacks or packages sealed or labeled under control of above officer;

(*d*) Be accompanied by a certificate conforming to the model annexed to this decree. (See p. 11.)

Article 5. By derogation of the provisions of Article 1 of this decree:

(*a*) From November 15 to April 30 inclusive potatoes may be inspected at Rabat, Fedala, Mazagan, Safi, Mogador, Agadir, when the weight of shipments is at least 100 quintals (approximately 11 tons).

(*b*) Sacks and slatted wooden crates which have contained plant products, may be inspected at Rabat, Fedala, Mazagan, Safi, Mogador, Agadir, Souk-el-Arba du Rharb, and Martimprey du Kiss, when the total weight of arrivals is at least 20 quintals. They may be inspected at Souk-el-Arba du Rharb and Martimprey du Kiss, when the total weight is less than 20 quintals by an agent of the Plant Protection Service during one of his weekly visits.

(*c*) The following oil seeds: shelled peanuts (*Arachis hypogaea* L.); cotton (*Gossypium* sp.); African oil palm (*Elaeis quineensis* Jack.); "karite" (*Butyrospermum parkii* Kotz.); "neuk" or "niger" (*Guizotia abyssinica* Cass.) and copra, the dried meat of *Cocos nucifera* L., may be imported at Fedala or Safi, when the weight of arrivals is at least 500 quintals (approximately 55 tons).

Article 6. In all cases when fumigation or disinfection is ordered for shipments provided for in Article 5 above, they are to be reladen and reshipped respectively to Casablanca or Port-Lyautey when arriving by sea, or to Oujda when from Algeria.

Sanitary inspections can take place only in the ports and frontier posts designated in Article 5 under the express condition that the interested importers assume the expenses of transporting the plant protection inspector from his residence to the port or frontier post, as well as the cost of moving the products according to official rates.

IMPORTATION BY AIR

Article 7. The products or goods listed in Article 1 may be imported by air through the airports of Oujda (Angad), Fez, Rabat (Sale), Casablanca (Camp-Cazes) under the following conditions:

1. The importer must guarantee:

(*a*) The transportation, under Customs supervision, of packages to the office of the Plant Protection Service for shipments or baggage addressed or belonging to one individual and not more than 50 kilos in weight.

(*b*) Transportation going and returning of the Plant Protection inspector in connection with the examination of shipments or baggage exceeding 50 kilos.

2. If the importation must be made at Fez, the importer must give notice 48 hours in advance to the local agent of the Plant Protection Service.

3. When disinfection is required, the importer will be responsible for the transportation of the merchandise:

(*a*) By closed carrier, under escort of a Customs agent, to the fumigation station when the importation is made at Oujda or Casablanca.

(*b*) By air to Oujda or Casablanca, then as indicated in (a) when the importation is made at Fez or Rabat.

4. All merchandise which has not satisfied the conditions of paragraphs 1, 2, and 3 of this article will be refused entry.

5. When reshipment is ordered, the products must be reexported by air, failing which their destruction is to proceed.

UNRESTRICTED PRODUCTS

Article 8. In the application of the next to the last paragraph of Article 7 of the Dahir of September 20, 1927, relating to Derogations, the products listed below are not subject to the provisions of Articles 6 (ports of entry), 7 (inspections, treatment and quarantine) and 9 (packing materials) of the said Dahir:

1. Grain of the following cereals:
   Wheat (cultivated species of the genus *Triticum* L.).
   Barley (cultivated species of the genus *Hordeum* L.).
   Oats (cultivated species of the genus *Avena* L.).
   Rye (*Secale cereale* L.) and Maize (*Zea mays* L.).
   Rice (*Oryza sativa* L.) and Millet (*Panicum miliaceum* L.).
   Sorghum (*Sorghum vulgare* Pers.).

2. Coffee beans (*Coffea arabica* L., *C. liberica* Bull. and *C. stenophylla* Dox); tea leaves (*Thea chinensis* Sims); cocoa beans (*Theobroma cacao* L.).

3. Dried lavendar (*Lavandula vera* D. C., *L. latifolia* Vall, *L. stoechas* L.); dried rosemary (*Rosmarinus officinalis* L.); dried thyme (*Thymus vulgaris* L.); senna (*Cassia* sp. L.); seeds of green anise (*Pimpinella anisum* L.) and star anise (*Illicium anisatum* L.); dried rose flowers; hops (*Humulus lupulus* L., *H. japonicus* Sieb. and Zucc.); henna (dried leaves and stems of *Lawsonia alba* Lam.); licorice (rhizomes and roots of *Glycyrrhiza glabra* L. and *G. echinata* L.); dried sarsaparilla (*Smilax sarsaparilla* L.).

4. Gums, resins, gum-resins, incense, benzoin, resin of aloes, various nutgalls (Chinese galls, "takaout", oak galls.).

5. Dried medicinal plants packed in packets.

6. Woods of any nature excluding those which might serve for vegetative multiplication (green wood with bark attached might be utilized as cuttings, scions, etc.), or constituting all or part of the products or goods subject to sanitary inspection; dried bark, cork, tanbark and other tanning products composed of seeds or entire fruits.

7. Dried prunes, figs, raisins, apricots, apples, pears, and peaches, fruits in brine; preserved or subjected to an industrial preparation other than drying; cereal flours, alimentary pastes, bran, oil-cake, wheat, barley, oat and rye chaff, hay in mechanically pressed and bound bales; alfalfa meal; vegetable fibers, such as raffia, sisal, completely ginned cotton; "crin vegetal" (a palm fiber from *Chamaerops humilis*); and in general, ground or pulverized plant products.

8. Peat and sea-weed.

9. Seeds of sesame (*Sesamum indicum* L.) and fennel-flower (*Nigella sativa* L.); pistachio (seeds of *Pistacia vera* L.); seeds of Italian stone pine (*Pinus pinea* L.); chestnuts, walnuts, hazel-nuts, and shelled almonds (*Castanea sativa* Mill., *Juglans regia* D., *Corylus avellana* L., *Amygdalus communis* L.).

10. Dried plants and parts of plants, called "sterilized," treated by heat or chemically.

11. Bacteria, yeasts, and cryptogams of economic or health interest listed in the Decree of March 1, 1928, as follows:

IMPORTATION PERMITTED OF CRYPTOGAMS OF ECONOMIC OR HEALTH INTEREST

The following classes of fungi, myxomycetes and bacteria may be admitted for entry into or transit through the French Zone:

(*a*) Yeasts used in the manufacture of wines, ciders, in brewing, bread making, and in the production of alcohol;

(*b*) Mucors used in the manufacture of alcohol;
(*c*) Yeasts and bacteria for use in vegetable conserves such as sauerkraut, string beans;
(*d*) Bacteria for the production of vinegar;
(*e*) Bacteria employed in the retting of textile plants;
(*f*) Bacteria known as nitric and nitrous ferments;
(*g*) Bacteria assimilating nitrogen from the air;
(*h*) Fungi (molds) used in cheese making;
(*i*) Bacteria known as lactic ferments in "Yaourt" or "Yoghourt";
(*j*) Yeasts for ensilage;
(*k*) Ferments of "Kephir" and "Koumiss";
(*l*) Cryptogams intended for veterinary, therapeutic or experimental purposes;
(*m*) Cryptogams intended for use in therapeutic and medical experimentation.

The cryptogams designated in subparagraphs "*a*" to "*i*" may be imported as pure cultures only.

The cryptogams designated above may be imported only through the ports of Casablanca and Port-Lyautey and the frontier post of Oujda.

Containers of the cryptogams mentioned above must bear the name, address, and business status of the shipper, and the name of the species of cryptogam, if it is included in subparagraph "*a*" to "*i*" of above paragraph.

Shipments included in subparagraph "*a*" to "*g*" of above paragraph must be examined on arrival, for purposes of identity, as required by Article 7.

Shipments included in the other subparagraphs will be subject to the same conditions and, according to the circumstances, shipments under subparagraph "*m*" will go to an official designated by the Director of Public Health and Hygiene; or to the chief of the research laboratory of animal industry in the case of shipments under subparagraph "*h*" to "*l*".

Cryptogams (fungi, myxomycetes, or bacteria) recognized by these officials as not belonging to one of the categories listed in the present order shall be reembarked or destroyed at the option and expense of the consignee.

12. Manufactured tobacco in boxes or packets.
13. Packing materials, approved by Vizirial Decree of October 6, 1942.

APPROVED PACKING MATERIALS

The shipments into the French Zone of products or articles wrapped, bundled, enveloped, trimmed or held together with plant products, especially with hay, are subject to sanitary inspection under the conditions provided for in Article 7.

Inspectors of Plant Protection may exempt importations from sanitary inspection, if they consider this can be done without danger, on the condition the wrappings are destroyed; or they may prescribe such other sanitary measures as are deemed necessary, including the fumigation of the packages and destruction of the wrappings at the importer's expense.

The following exemptions are allowed:
(*a*) Straw of wheat (*Triticum* spp.), barley (*Hordeum* spp.), oats (*Avena* spp.), and rye (*Secale cereale* L.);
(*b*) Wrappings made with leaves of the date palm (*Phoenix dactylifera* L.);
(*c*) Esparto grass (*Stipa tenacissima* L. and *Lygeum spartium* L.);
(*d*) Stems of the giant reed (*Arundo donax* L.) if peeled, defoliated and split;
(*e*) Coir, coconut fiber (*Cocos nucifera* L.);
(*f*) Roots of ferns of the genera Polypodium, Pteris and Osmunda;
(*g*) Willow (*Salix* spp.) used in basket making;
(*h*) Mosses (*Hypnaceae* and *Bryaceae*) and Sphagnum (*Sphagnaceae*);
(*i*) Ferns when they serve as wrappings for shellfish; and
(*j*) Leaves of species of Clynogyne (*Scitamineae*) and Mitragyna (*Rubiaceae*) when used for packing for Kola nuts.

The entry of hay into the French Zone is authorized only in the form of mechanically compressed and bound bales.

Article 9. Decrees of September 10, 1936, and December 9, 1944, are abrogated by this Decree.

Article 10. Effective date, that of publication in Bulletin Officiel—Rabat, June 20, 1950.

SUGGESTED FORM OF CERTIFICATE FOR POTATOES, TOMATOES, AND EGGPLANT

COUNTRY

NAME OF PROTECTION SERVICE

The undersigned (full name and title), certifies that the potatoes, tomatoes, eggplant (erase the words not applicable) comprising the shipment described below, have been carefully inspected, and that this shipment does not contain, to his knowledge, any dangerous parasite capable of propagation in cultivated crops or orchards, especially the Colorado potato beetle (*Leptinotarsa decemlineata* (Say)), golden nematode (*Heterodera rostochiensis* Woll.), potato wart (*Synchytrium endobioticum* (Schilb.)), and the following virus diseases, spindle tuber, non-mosaic crinkle, witches' broom, Canada streak, or calico.

He certifies also that the potatoes were packed at (port) and are free from dirt, tops and other debris, and that the sacks were sealed or labeled under his supervision.

Date _____

[OFFICIAL SEAL] Signature _____

Name and address of shipper _____
Name and address of receiver _____
Number and kind of containers _____
Marks on containers _____
Gross weight of containers _____
Date of inspection _____
Origin of products in the shipment _____
Name of varieties _____

Vizirial Decree of September 3, 1949. Charges to be levied for inspection.

Decree of Director General of Agriculture, etc., April 4, 1933, fixing charges for fumigation.

Decree of Director General of Agriculture, etc., April 3, 1931, fixing hourly rates for inspection.

Vizirial Decree of October 6, 1942—Charges for inspection and fixing amounts to be inspected. Approved packing materials listed, see pages 10–11.

HONEY AND SILK-PRODUCING INSECTS

Decree of Director General of March 1, 1928 as amended May 12, 1937

The insects hereafter named are admitted to entry into and transit through the French Zone:

(a) Honey-producing insects:
Apis ligustica Spin.
Apis mellifera L., Honey-bee.

(b) Silk-producing insects:
Antheraea mylitta Drury, Tasar silkworm.
Antheraea pernyi var. *yama-mai* Guer.
Attacus atlas L.
(*Sericaria*) *Bombyx mori* L., silkworm.
Philosamia cynthia Drury.
(*Attacus ricini* Hutton)—*Philosamia lunula* Walk.
Attacus (*Rothschildi*) *orizaba* Westw.
(*Platysamia*) *Samia cecropia* L.
Telea polyphemus Cramer.
Cocoons or nymphs of *Formica rufa* L., commonly known as "ants' eggs."

The entry of the honey-producing insects is permitted only in the adult stage; and the silk-producing insects, only in egg and pupal stages.

The entry of these insects may be effected only through the ports of Casablanca and Port-Lyautey, and the frontier post of Oujda.

Shipments of these insects shall bear the name, address, and occupation of the shipper, as well as the names of the species comprising the shipment.

For the purpose of identification these shipments, on arrival, will be inspected by an official of the Director-General charged with phytosanitary inspection, in accordance with the provisions of Article 7. Insects recognized by the said official as not belonging to the above-named species will be refused entry or destroyed at the option and expense of the consignee.

RESTRICTIONS TO PREVENT THE INTRODUCTION OF THE EUROPEAN CORN BORER

Vizirial Decree of August 31, 1932

The importation into and transit through the French Zone of the following are prohibited:

(*a*) Living plants, or culms, straw, leaves, roots, husks, rachises, and inflorescenses of maize, *Zea mays* L.; sorghums, *Holcus sorghum vulgare* (Pers.); all cultivated species of Sorghum or Andropogon; millet, *Panicum miliaceum* L., *Chaetochloa* (*Panicum*) *italica* and other cultivated species of *Panicum*, and in general, of any part or residue of these plants, except the seeds of whatever origin.

(*b*) Any part or residue of plants of hemp (*Cannabis sativa* L.), except seeds, fiber, and inflorescences without any portion of the stems.

(*c*) Whole plants, living or dried, of the giant reed, *Arundo donax* L., or parts thereof, except peeled or split stems used in making packings.

(*d*) Produce of any kind, the packings of which are composed of the above-named plants or parts thereof.

(*e*) Articles made of the above-named plants, or with parts thereof, especially brooms.

Any shipment containing the products named in the preceding paragraph will be returned or destroyed, at the option of the consignee or his representative, in accordance with the provisions of Article 7.

RESTRICTIONS ON THE IMPORTATION OF FORAGE-CROP SEEDS

Vizirial Decree of May 8, 1933

SEEDS AFFECTED

Forage-crop seeds of the following genera are subject to examination to determine whether or not they contain dodder seeds (*Cuscuta* spp.); Medicago (alfalfa and yellow trefoil), Trifolium (clovers), Lotus, and Anthyllis.

Importers or their agents are required to furnish the botanical names of the seeds and the weight of the shipment.

These regulations do not preclude the application of the provisions of the Dahir of September 20, 1927, and the decree pertaining thereto.

B. E. P. Q. 574, Supplement No. 1

October 23, 1950.

PLANT QUARANTINE IMPORT RESTRICTIONS, THE NETHERLANDS

IMPORTATION OF WOODY PLANTS RESTRICTED

(San Jose Scale Regulations)

Dr. C. J. Briejer, Director of Netherlands Phytopathological Service advises that the following regulations to safeguard Dutch nurseries and other holdings against the San Jose Scale (*Aspidiotus perniciosus* Comst.), have been issued in a Royal Decree of September 2, 1950.

1. In this order "live woody plants" includes parts thereof, except fruits and seeds and, if not fit for propagation, cut flowers.

2. Each consignment of imported live woody plants shall be accompanied by two copies of a certificate issued by a competent authority in the country of origin after an inspection of the consignment which the inspector has found, to the best of his knowledge, to be free from the San Jose scale.

3. After arrival in the Netherlands live woody plants of the genera *Acer*, *Crataegus*, *Cydonia*, *Malus*, *Prunus*, *Pyrus*, *Ribes*, *Sorbus* and *Ulmus* shall be treated with hydrocyanic acid by the Netherlands Phytopathological Service. The consignee shall pay such fee as may be determined.

4. The importation and transit of live woody nursery stock, except Conifers, is prohibited from the first day of April to the first day of October. They may be imported or conveyed in transit under a license issued by the Director of the Netherlands Phytopathological Service.

5. This Order shall come into operation on the 14th day of September 1950.

The following certificate form was drafted in accordance with the recommendations of the Conference on Plant Quarantine Regulations held in the Hague April 26–May 2, 1950. Form EQ–375 apparently can be used to furnish all the required information.

PHYTOPATHOLOGICAL SERVICE No. _____
OF (Country)

CERTIFICATE OF HEALTH FOR PLANTS AND PLANT PRODUCTS

This is to certify that the plants, parts of plants or plant products described below or representative samples of them were thoroughly examined on (date) _____ by (name) _____ an authorized officer of the (service) _____ and were found to the best of his knowledge to be substantially free from injurious diseases and pests; and that the consignment is believed to conform with the current requirements of the importing country.

_____ 19____

_____
(Signature)

_____
(Rank)

(Stamp of the service)

Date, place and nature of disinfestation treatment (if any)_____

_____

Additional declarations (if any)_____

DESCRIPTION OF THE CONSIGNMENT

Name and address of exporter_____
Name and address of consignee_____
Number and description of packages_____
Distinguishing marks_____
Quantity and name of produce_____
Botanic name_____
Origin_____
Means of conveyance_____

S. A. ROHWER,
Acting Chief, Bureau of Entomology and Plant Quarantine.

PENALTIES IMPOSED FOR VIOLATIONS OF PLANT QUARANTINE ACT

According to reports received by the Bureau during the period October 1 to December 31, 1950, penalties have recently been imposed by the proper authorities for violations of the Plant Quarantine Act as follows:

QUARANTINES AFFECTING MEXICAN PRODUCTS

In the case of the United States versus the persons listed below, for attempting to smuggle in contraband material, the penalties indicated were imposed by the United States Customs officials at the following ports:

Name	Port	Contraband	Penalty
Enrique Mendoza	Nogales, Ariz	20 pomegranates, 7 quince, and 16 sweet limes.	$4.00
Efren Gutierrez Duran	Brownsville, Tex	2 oranges	1.00
Domingo Garcia Ramirez	do	do	1.00
Manuel Vasquez Gallegos	do	1 orange	1.00
Ysidra Paredes	do	1 orange and 10 sweet limes	1.00
Eulalio Hernandez	do	1 avocado seed	1.00
Manuela Garcia	do	1 pear	1.00
Pancho Pelon	do	9 avocados with seed	2.25
Virginia Castillo	do	5 avocados with seed	1.00
Isabel Sosa	do	1 apple	1.00
Gilberto T. Calzada	do	14 oranges	1.00
Jack Fiorella	do	1 apple and 4 cactus plants	1.00
Gregorio Martinez	Eagle Pass, Tex	9 avocados	1.00
Juan F. Delgado	do	149 sugarcane nodes	1.00
Ventura Ortiz Vargas	do	15 sugarcane nodes	1.00

Name	Port	Contraband	Penalty
A. A. Hererra	Eagle Pass, Tex	2 oranges	$1.00
Paul Barron	do	120 sugarcane nodes	6.00
Hortencia Enriquez	do	1 apple	1.00
Ygnacio Sanchez	do	62 sweetpotatoes	6.20
Josepha Rodriguez	do	1 plant	1.00
Julia U. Perry	do	6 plants	1.00
Oscar Quintero	El Paso, Tex	11 avocados, 5 apples, and 12 Irish potatoes.	3.00
Cruz Chavez de Rivera	do	2 apples	1.00
Irene Castaneda	do	2 guavas	1.00
Maria Rosales	do	do	1.00
DaZores G. Sandoval	do	25 guavas, 1 quince, 2 pears, and 25 guavas.	2.00
Catalina Ramirez	do	2 avocados	1.00
Maria Serrano	do	do	1.00
Ricardo Abascal	do	do	1.00
Refugio Sifuentos	do	do	1.00
Mary Ramirez	do	5 avocados	1.00
Amelia Cordero	do	6 sweet limes and 5 sweetpotatoes	1.00
Zulema Allunde de Vargas	do	10 guavas	1.00
Margarito J. Ocampo	do	1 apple	1.00
Maria de Jesus Arozco	do	1 avocado	1.00
Arturo Flores	do	50 sugarcane nodes	2.00
Jesus Sosa	do	3 avocados with seed	1.00
Jesus Hernandez	do	1 avocado with seed	1.00
Inez Gutierrez	do	30 Irish potatoes	1.00
Jos. Gutierrez	do	2 oranges	1.00
Maria Espinosa	Hidalgo, Tex	1 plant	1.00
Antonio Lozano	do	do	1.00
Jose E. Lopez	do	3 oranges	1.00
Hereulano Garcia	do	1 orange and 8 sugarcane nodes	1.00
Conception de Martinez	do	4 avocados	1.00
Isabel Alonzo Rodriguez	do	2 pounds tree seed	1.00
Cristina Salazar de La Fuente	do	13 plants	1.00
Mrs. O. C. Medart	do	5 plants	1.00
Roberto Valdes	do	2 grapefruit	1.00
Manuel Torres Flores	do	2 guavas	1.00
Paula Santos de Villalobos	do	1 apple	1.00
Maria Cantu	do	2 avocados	1.00
Consuela Salazar	do	do	1.00
Francisca Alemndares	Laredo, Tex	14 sweet limes, 23 plants, and 1 tree seed.	1.00
Robert E. Garber	do	2 oranges	1.00
Madel Pilar L. de Rubio	do	3 quinces	1.00
Mary M. Gloria	do	2 mangoes	1.00
Angelia G. Villarreal	do	1 mango	1.00
Dolores H. Gloria	do	do	1.00
Antonia Villarreal	do	2 avocados with seed	1.00
Maria Moreno	do	do	1.00
Lucy E. Ochoa	do	do	1.00
B. H. Gilbert	do	do	1.00
Eli F. Rush	do	4 sweet limes and 50 papaya seeds	1.00
Esperanza Martinez	do	2 apples and 2 plants	2.00
Homer Barrios	do	1 sugarcane node	1.00
C. A. Powell	do	20 packages miscellaneous seeds	1.00
Mrs. Jeannie Russell	do	7 avocados with seed	1.00
Carmen V. de Garcia	do	8 plants	1.00
Bertha Caldwell	do	6 plants	1.00
Otila H. de Orozco	do	1 avocado seed and 9 tree seeds	1.00
Amparo Trevino	do	1 orange	1.00
Gregorio Marroquin	do	do	1.00
Mrs. A. Romero	do	8 avocados with seed and 8 plants	2.00
Antonio Aguayo	do	1 plant in soil	1.00
Mrs. Zepeda de Barrera	do	5 pounds Irish potatoes	1.00
Carolina Mondragon	do	1 apple and 1 avocado	1.00
W. E. Harris	do	36 sugarcane nodes	1.00
Estefan Ruiz Martinez	do	19 guavas	1.00
Juana B. Gonzalez	do	4 guavas	1.00
Oscar Gonzalez Aguirre	do	1 plant	1.00
Juana Hernandez de Gonzalez	do	do	1.00
Rebecca P. Elizalde	do	1 avocado and 3 apples	1.00
Maria R. Resendez	do	4 plants	1.00
John V. Beaudoux	do	2 plants	1.00
Guadalupe Soldana Garcia	do	1 cherimoya	1.00
Ernest Esquivel	do	12 sugarcane nodes	1.00
Mrs. Estela Trevino de Gonzalez	do	3 apples	1.00
Maria Tijerina	do	4 guavas	1.00
Mrs. Cleofas Cuellar	do	1 avocado with seed	1.00
Don T. Tetley	do	3 avocados with seed	1.00

LIST OF CURRENT QUARANTINE AND OTHER RESTRICTIVE ORDERS AND MISCELLANEOUS REGULATIONS

[The domestic and foreign quarantine and other restrictive orders summarized herein are issued under the authority of the Plant Quarantine Act of Aug. 20, 1912, as amended, and the Insect Pest Act of March 3, 1905. The Mexican border regulations and the export-certification regulations are issued under specific acts of Congress.]

QUARANTINE ORDERS

The numbers assigned to these quarantines indicate merely the chronological order of issuance of both domestic and foreign quarantines in one numerical series. The quarantine numbers missing in this list are quarantines which have either been superseded or revoked. For convenience of reference these quarantines are here classified as domestic and foreign, the domestic quarantines being divided into (1) those applying primarily to the continental United States, and (2) those applying primarily to shipments from and to the Territories of Hawaii and Puerto Rico.

Domestic Plant Quarantines

QUARANTINES APPLYING TO THE CONTINENTAL UNITED STATES

Black stem rust.—Quarantine 38 and supplemental regulations, revised, effective May 1, 1949, as amended effective February 11, 1950, prohibit the interstate movement anywhere in the continental United States of all species of berberis, mahonia, and mahoberberis plants, other than those designated as being resistant to the black stem rust. Permits are required for interstate movement of plants of those species of berberis, mahonia, and mahoberberis that are known to be rust-resistant. The interstate movement of all seeds and fruits of berberis, mahonia, and mahoberberis is prohibited into the eradication States, comprising Colorado, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Montana, Nebraska, North Dakota, Ohio, Pennsylvania, South Dakota, Virginia, Washington, West Virginia, Wisconsin, and Wyoming. Such seeds and fruits from rust-resistant plants produced in the eradication States may be moved between or from such States under permit, or wherever produced, may be moved between noneradication States without restriction. Administrative instructions, effective April 22, 1950, designate rust-resistant species and varieties.

Gypsy moth and brown-tail moth.—Quarantine No. 45, revised, effective October 10, 1945: Prohibits, except as provided in the rules and regulations supplemental thereto, revised effective August 30, 1948, the interstate movement from the regulated area to or through any point outside thereof of (1) live gypsy moths or brown-tail moths in any stage of development; (2) trees, shrubs, plants, and vines, both deciduous and evergreen, having persistent woody stems, and parts thereof, including Christmas trees; (3) timber products; (4) stone and quarry products; and (5) any other commodities or articles when found on inspection to be infested with the aforesaid insects in any of their stages. The regulated area covers Massachusetts, Rhode Island, and parts of the States of Connecticut, Maine, New Hampshire, New York, and Vermont.

Japanese beetle.—Quarantine No. 48, revised, effective April 30, 1948, as amended effective April 18, 1949, and May 31, 1950: Prohibits, except as provided in the rules and regulations supplemental thereto, the interstate movement of (1) soil, humus, compost, and decomposed manure; (2) forest, field, nursery, or greenhouse-grown woody or herbaceous plants or parts thereof for planting purposes; (3) cut flowers; and (4) fresh fruits and vegetables from the regulated area to or through any point outside thereof. The regulated area includes the entire States of Massachusetts, Rhode Island, Connecticut, New Jersey, and Delaware, and the District of Columbia, and portions of the States of Maine, New Hampshire, Vermont, New York, Pennsylvania, Maryland, Virginia, West Virginia, and Ohio.

Pink bollworm.—Quarantine No. 52, revised, effective June 11, 1948, as amended effective April 27, 1949: Prohibits, except as provided in the rules and regulations supplemental thereto, the interstate movement from the regulated areas of Arizona, New Mexico, Oklahoma, and Texas, of (1) okra, including all parts of the plant; (2) cotton, wild cotton, including all parts of either cotton or wild-cotton plants, seed cotton, cotton lint, linters, and all other forms of unmanufactured cotton fiber, gin waste, cottonseed, cottonseed hulls, cottonseed cake, and meal; (3) bagging and other containers and wrappers of cotton and cotton

products; (4) railway cars, boats, and other vehicles which have been used in conveying regulated cotton products or which are fouled with such products; (5) when contaminated with regulated cotton products, any other commodities, including farm products, farm household goods, and farm equipment.

Thurberia weevil.—Quarantine No. 61, revised, effective August 1, 1927: Prohibits the interstate movement of *Thurberia*, including all parts of the plant, from any point in Arizona and prohibits, except as provided in the rules and regulations supplemental thereto, revised, effective October 2, 1933, as amended effective October 22, 1936, the interstate movement from the regulated area of Arizona of (1) cotton, including all parts of the plant, seed cotton, cotton lint, linters, and all other forms of unmanufactured cotton lint, gin waste, cottonseed, cottonseed hulls, and cottonseed cake and meal; (2) bagging and other containers and wrappers of cotton and cotton products; (3) railway cars, boats, and other vehicles which have been used in conveying cotton and cotton products, or which are fouled with such products; (4) hay and other farm products; and (5) farm household goods, farm equipment, and, if contaminated with cotton, any other articles.

White pine blister rust.—Quarantine No. 63, effective July 1, 1946: Except as provided in the rules and regulations supplemental thereto, effective July 1, 1946, (1) prohibits the movement of five-leaved pines into the noninfected States of Arizona, Colorado, Georgia, Kentucky, Nevada, New Mexico, South Carolina, Tennessee, Utah, and the noninfected part of California, from any other State, although (a) five-leaved pines may be moved without restriction between these noninfected States and portions thereof, and (b) there are no restrictions on the movement of five-leaved pines and parts thereof when not visibly infected with blister rust into or within that part of the continental United States outside the above-described noninfected area; (2) prohibits the movement of European black currants, except into and between the States of Alabama, Arkansas, Florida, Kansas, Lousiana, Mississippi, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, and Texas; (3) prohibits the movement of gooseberry and currant plants (other than European black currants) into parts of California, Georgia, Idaho, Maine, Montana, New Hampshire, New Jersey, New York, Tennessee, and West Virginia; and (4) restricts the movement of gooseberry and currant plants (other than European black currants) into control-areas comprising Connecticut, Delaware, Massachusetts, Rhode Island, and Vermont, and parts of Maryland, Michigan, Minnesota, North Carolina, Ohio, Oregon, Pennsylvania, Virginia, Washington, and Wisconsin.

Mexican fruitfly.—Quarantine No. 64, revised, effective November 26, 1945: Prohibits, except as provided in the rules and regulations supplemental thereto, revised, effective November 26, 1945, the interstate movement from the regulated area of Texas of fruits of all varieties.

White-fringed beetle.—Quarantine No. 72, revised, effective May 26, 1948, as amended effective March 17, 1949, and July 14, 1950: Prohibits, except as provided in the regulations supplemental thereto, the interstate movement from the regulated areas in the States of Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee, to or through any point outside thereof, of (1) live white-fringed beetles in any stage of development; (2) soil independently or in connection with nursery stock, plants, or other things; (3) nursery stock and other stipulated plants or plant products; and (4) other articles as stipulated in § 301.72–3.

QUARANTINES APPLYING TO THE TERRITORIES OF HAWAII AND PUERTO RICO

Hawaiian fruits and vegetables.—Quarantine No. 13, revised, effective June 24, 1948, prohibits, except as provided in the rules and regulations supplemental thereto, the movement from the Territory of Hawaii into or through any other Territory, State, or District of the United States of all fruits and vegetables, in the natural or raw state, peels of fruits of all genera, species, and varieties of the subfamilies *Aurantioideae*, *Rutoidea*, and *Toddalioideae*, of the botanical family *Rutaceae*; cut flowers; rice straw; and mango seeds to prevent the spread of the Mediterranean fruitfly (*Ceratitis capitata* Hendl.), melon fly (*Dacus cucurbitae* Coq.), Oriental fruitfly (*Dacus dorsalis* Hendl.), citrus canker (*Xanthomonas citri* (Hassee) Dowson), green coffee scale (*Coccus viridis* Green), bean pod borer (*Maruca testulalis* Geyer), bean butterfly (*Lampides boeticus* L.), Asiatic rice borer (*Chilo simplex* Butl.), mango weevil (*Cryptor hynchus mangiferea* F.), and Chinese rose beetle (*Adoretus sinicus* Burm.)

Sugarcane.—Quarantine No. 16, revised, effective January 1, 1935: Prohibits the movement from the Territories of Hawaii and Puerto Rico into or through any other Territory, State, or District of the United States of canes of sugarcane, or cuttings or parts thereof, sugarcane leaves, and bagasse, on account of certain injurious insects and diseases of sugarcane, except that movement will be allowed under permit of specific materials on condition that they have been or are to be so treated, processed, or manufactured that, in the judgment of the Department, their movement will involve no pest risk.

Sweetpotato.—Quarantine No. 30, revised, effective October 10, 1934: Prohibits the movement from the Territories of Hawaii and Puerto Rico into or through any other Territory, State, or District of the United States of any variety of sweetpotato (*Ipomoea batatas* Poir.), regardless of the use for which the same is intended, on account of the sweetpotato stem borer (*Omphisa anastomosalis* Guen.) and the sweetpotato scarabee (*Euscepes batatae* Waterh.).

Banana plants.—Quarantine No. 32, effective April 1, 1918: Prohibits the movement from the Territories of Hawaii and Puerto Rico into or through any other Territory, State, or District of the United States of any species or variety of banana plants (*Musa* spp.), regardless of the use for which the same is intended, on account of two injurious weevils (*Rhabdocnemis obscurus* Boisd. and *Metamasius hemipterus* Linn.).

Hawaiian and Puerto Rican cotton, cottonseed, and cottonseed products.—Quarantine No. 47, effective August 15, 1920, as amended effective January 3, 1950: Prohibits, except as provided in the rules and regulations supplemental thereto, the movement of cotton, seed or unginned cotton, cottonseed, and cottonseed products, except oil, from the Territories of Hawaii and Puerto Rico into or through any other Territory, State, or District of the United States on account of the pink bollworm (*Pectinophora gossypiella* Saund.) and the cotton-blister mite (*Eriophyes gossypii* Banks).

Puerto Rican fruits and vegetables.—Quarantine No. 58, revised, effective January 22, 1941, as amended effective January 26, 1949, and December 7, 1949: Prohibits, except as provided in the rules and regulations supplemental thereto, the movement from the Territory of Puerto Rico into or through any other Territory, State, or District of the United States of all fruits and vegetables in the raw or unprocessed state, on account of certain injurious insects, including the fruitfles *Anastrepha suspensa* (Loew) and *A. mombinpraeoptans* Sein, and the bean-pod borer *Maruca testulalis* (Geyer).

Sand, soil, or earth, with plants from Hawaii and Puerto Rico.—Quarantine No. 60, revised, effective September 1, 1936: Prohibits the movement from the Territories of Hawaii and Puerto Rico into or through any other Territory, State; or District of the United States of sand (other than clean ocean sand), soil, or earth around the roots of plants to prevent the spread of certain injurious insects, including *Phyllophaga* spp. (white grubs), *Phytalus* sp., *Adoretus* sp., and of several species of termites or white ants. Provision is made for the retention of potted plants on board vessels from Hawaii and Puerto Rico when evidence is presented satisfactory to the plant quarantine inspector that the soil has been so treated or is so safeguarded as to eliminate pest risk.

Hawaiian citrus nursery stock.—Quarantine No. 75, effective September 15, 1947: Prohibits the movement from the Territory of Hawaii into or through any other Territory, State, or District of the United States of plants or any plant part, except fruits and seeds, of all genera, species, and varieties of the subfamilies Aurantioideae, Rutoideae, and Toddalioideae of the botanical family Rutaceae, on account of the citrus canker disease and other citrus diseases.

Foreign Plant Quarantine

Pink bollworm.—Quarantine No. 8, revised, effective November 11, 1944: Forbids the importation from any foreign locality and country, excepting only the locality of the Imperial Valley in the State of Baja California, Mexico, including that portion of the valley in the State of Sonora lying between San Louis Mesa and the Colorado River, and the area in the State of Tamaulipas, Mexico, adjacent to the United States, comprising the municipios of Guerrero, Mier, Camargo, Reynosa, Matamoras, Mendez, and San Fernando, of cottonseed of all species and varieties and cottonseed hulls. Cottonseed and cottonseed hulls from the Imperial Valley and from the aforesaid area in the State of Tamaulipas, Mexico, may be entered under permit and regulation.

Seeds of avocado or alligator pear.—Quarantine No. 12, effective February 27, 1914: Forbids the importation from Mexico and the countries of Central America of the seed of the avocado or alligator pear on account of the avocado weevil (*Heilipus lauri*).

Sugarcane.—Quarantine No. 15, revised, effective October 1, 1934: Prohibits the importation from all foreign countries and localities of canes of sugarcane, or cuttings or parts thereof, sugarcane leaves, and bagasse, on account of certain injurious insects and diseases of sugarcane, except that importation will be allowed under permit of specific materials on condition that they have been or are to be so treated, processed, or manufactured that, in the judgment of the Department, their entry will involve no pest risk.

Citrus nursery stock.—Quarantine No. 19, revised, effective September 15, 1947: Forbids the importation from all foreign localities and countries of plants or any plant part, except fruit and seeds, of all genera, species, and varieties of the subfamilies Aurantioideae, Rutoideae, and Toddalioideae, of the botanical family Rutaceae, from Europe, Asia, Africa, South America, Central America, North America outside of the United States, Australia, and foreign oceanic countries and islands.

Indian corn or maize and related plants.—Quarantine No. 24, effective July 1, 1916, as amended, effective April 1, 1917, and April 23, 1917: Forbids the importation from southeastern Asia (including India, Siam, Indochina, and China), Malayan Archipelago, Australia, New Zealand, Oceania, Philippine Islands, Taiwan (Formosa), Japan, and adjacent islands, in the raw or unmanufactured state, of seed and all other portions of Indian corn or maize (*Zea mays* L.) and the closely related plants, including all species of Teosinte (Euchlaena), Jobs-tears (Coix), Polytoca, Chionachne, and Sclerachne, on account of the downy mildews and Physoderma diseases of Indian corn, except that Indian corn or maize may be imported under permit and upon compliance with the conditions prescribed in the regulations of the Secretary of Agriculture.

Citrus fruits.—Quarantine No. 28, effective October 25, 1947, as amended effective December 16, 1949. Forbids the importation into the continental United States, Puerto Rico, and Hawaii of all fruits and peel of all genera, species, and varieties of the subfamilies Aurantioideae, Rutoideae, and Toddalioideae of the botanical family Ruteceae from eastern and southeastern Asia (including India, Burma, Ceylon, Siam, Indochina, and China), the Malayan Archipelago, the Philippine Islands, Oceania (except Australia and Tasmania), Japan (including Formosa and other islands adjacent to Japan); Mauritius, and Seychelles, on account of the citrus canker disease; forbids the importation into the continental United States, Puerto Rico and Hawaii of fruits and peel of all genera, species, and varieties of *Citrus aurantifolia* (Christm.) Swingle, *C. aurantium* L., *C. hystrix* DC., *C. limon* (L.) Burm. f., *C. paradisi* Macf., *C. reticulata* Blanco, *C. sinensis* (L.) Osbeck and *Fortunella margarita* (Lour.) Swingle, from Argentina, Brazil, Paraguay, and Uruguay, on account of sweet orange scab; and forbids the importation into the continental United States, Puerto Rico and Hawaii of fruits and peel of all genera, species, and varieties of *Citrus aurantifolia* (Christm.) Swingle, *C. aurantium* L., *C. limon* (L.) Burm. f., *C. medica* L., and *C. sinensis* (L.) Osbeck, from Argentina, Paraguay, and Uruguay, on account of the bacterial disease known as "Cancrosis B": *Provided,* that seeds and processed peel of fruits designated herein are excluded from the provisions of this quarantine. Such seeds, however, are subject to the requirements of Nursery Stock, Plant, and Seed Quarantine No. 37.

Sweetpotato and yam.—Quarantine No. 29, effective January 1, 1918: Forbids the importation for any purpose of any variety of sweetpotatoes and yams (*Ipomoea batatas* and *Dioscorea* spp.), from all foreign countries and localities, on account of the sweetpotato weevils (*Cylas* spp.) and the sweetpotato scarabee (*Euscepes batatae*).

Banana plants.—Quarantine No. 31, effective April 1, 1918: Forbids the importation for any purpose of any species of variety of banana plants (*Musa* spp.), or portions thereof, from all foreign countries and localities, on account of the banana-root borer (*Cosmopolites sordidus*). This quarantine places no restrictions on the importation of the fruit of the banana. (For restrictions on the entry of the fruit of the banana see quarantine 56.)

Bamboo.—Quarantine No. 34, effective October 1, 1918: Forbids the importation for any purpose of any variety of bamboo seed, plants, or cuttings thereof capable of propagation, including all genera and species of the tribe Bambuseae, from all foreign countries and localities, on account of dangerous plant diseases,

including the bamboo smut (*Ustilago shiraiana*). This quarantine order does not apply to bamboo timber, consisting of the mature dried culms or canes which are imported for fishing rods, furniture making, or other purposes, or to any kind of articles manufactured from bamboo, or to bamboo shoots cooked or otherwise preserved.

Nursery stock, plants, and seeds.—Quarantine No. 37, effective December 5, 1950, as amended effective July 1, 1950: Forbids the importation into the United States from designated countries of certain nursery stock and other plants and plant products specified in the quarantine because of the respective injurious insects and plant diseases listed. Restricts the importation from any foreign country or locality of nonprohibited field-grown florists' stock, trees, shrubs, vines, cuttings grafts, scions, buds, and fruit pits and other seeds of forest, fruit, and ornamental trees and shrubs; bedding plants; other herbaceous plants, bulbs, and roots; field, vegetable, and flower seeds; and other plants and plant products for, or capable of, propagation, except as provided in supplemental regulations.

Permits are required for importations of all restricted plant material. Permits are not required for such material, other than Aglaonema, imported for food, analytical, medicinal, or manufacturing purposes; seeds of field crops, vegetables, and annual, biennial and perennial flowers which are essentially herbaceous in character, except seeds of Lathyrus, Vicia, and okra; or for sterile cultures of orchid seedlings in glass containers. This "nonpermit" material, however, is subject to inspection and certain other conditions.

Bulbs imported under permit are subject to inspection and must comply with other requirements of the regulations.

All imported plant material is subject to inspection to determine freedom from pests, except as noted in the regulations. Treatment of most classes of material is another condition of entry. Entry will be refused to plant material found upon inspection to harbor injurious pests which are not widely prevalent in the United States when no adequate treatment is available.

All restricted plant material must be free from sand, soil, or earth, with certain limited exceptions. Shipments not so freed may be refused entry.

Size-age limitations for all restricted trees and shrubs to be imported are prescribed.

Types of plant material that may be imported from designated countries subject to growing under postentry quarantine conditions are also listed.

The quarantine and regulations should be consulted for specific details.

European corn borer.—Quarantine No. 41, revised, effective June 1, 1926: Forbids, except as provided in the rules and regulations supplemental thereto, revised effective March 1, 1933, as amended, effective July 15, 1947, and October 1, 1948, the importation from all foreign countries and localities of the stalk and all other parts, whether used for packing or other purposes, in the raw or unmanufactured state, of Indian corn or maize, broomcorn, sweet sorghums, grain sorghums, Sudan grass, Johnson grass, sugarcane, pearl millet, napier grass, teosinte, and jobs-tears, on account of the European corn borer (*Pyrausta nubilalis* Hubn.) and other dangerous insects and plant diseases.

Rice.—Quarantine No. 55, revised, effective November 23, 1933: Forbids the importation of seed or paddy rice from all foreign countries and localities except the Republic of Mexico, and forbids the importation of rice straw and rice hulls from all foreign countries and localities, and seed or paddy rice from the Republic of Mexico, except as provided in the rules and regulations supplemental thereto, effective November 23, 1933, as amended, effective August 1, 1934, on account of injurious fungous diseases of rice, including downy mildew (*Sclerospora macrocarpa*), leaf smut (*Entyloma oryzae*), blight (*Oospora oryztorum*), and glume blotch (*Melanomma glumarum*), as well as dangerous insect pests.

Fruits and vegetables.—Quarantine No. 56, effective November 1, 1923: Forbids, except as provided in the rules and regulations supplemental thereto, revised, effective December 1, 1936, as amended effective April 7, 1948, the importation of fruits and vegetables, except as restricted, as to certain countries and districts, by special quarantines and other orders, and of plants or portions of plants used as packing material in connection with shipments of such fruits and vegetables from all foreign countries and localities other than the Dominion of Canada, on account of injurious insects, including fruitflies and melonflies (Trypetidae). Includes and supersedes Quarantine No. 49 on account of the citrus blackfly.

Flag smut.—Quarantine No. 59, effective February 1, 1926: Forbids the importation of all species and varieties of wheat (*Triticum* spp.) and wheat prod-

ucts, unless so milled or so processed as to have destroyed all flag-smut spores, from India, Japan, China, Australia, Union of South Africa, Italy, and Spain.

Packing materials.—Quarantine No. 69, effective July 1, 1933, as amended, effective July 1, 1933: Forbids the entry from all foreign countries and localities of the following materials when used as packing for other commodities, except in special cases where preparation, processing, or manufacture are judged by an inspector of the United States Department of Agriculture to have eliminated risk of carrying injurious insects and plant diseases: Rice straw, hulls, and chaff; cotton and cotton products; sugarcane, including bagasse; bamboo leaves and small shoots; leaves of plants; forest litter; and soil containing an appreciable admixture of vegetable matter not therein provided for by regulation. All parts of corn and allied plants are likewise prohibited except from Mexico and the countries of Central America, the West Indies, and South America. This quarantine also brings under restriction, involving inspection at will by the Department but requiring no permit or certificate, the following when used as packing: Cereal straw, chaff, and hulls (other than rice); corn and allied plants from Mexico, Central America, the West Indies, and South America; willow twigs from Europe; grasses, hay, and similar dried plant mixtures from all countries; and authorized soil-packing materials from all countries. This quarantine does not cover such widely used packing materials as excelsior, paper, sawdust, ground cork, charcoal, and various other materials which, because of their nature or process of manufacture, are unlikely to transport plant parasites.

Dutch elm disease.—Quarantine No. 70, revised, effective October 31, 1947: Forbids the importation from Europe, Canada, and other foreign areas north of the United States, on account of a disease due to the fungus *Ceratostomella ulmi*, of seeds, leaves, plants, cuttings, and scions of elm and related plants; logs of elm and related plants; lumber, timber, and veneer of such plants if bark is present on them; and crates, boxes, barrels, packing cases, and other containers, and other articles manufactured in whole or in part of the wood of elm or related plants if not free from bark.

Coffee.—Quarantine No. 73, effective April 1, 1940: Prohibits the importation into Puerto Rico from all foreign countries and localities of (1) the seed or beans of coffee which, previous to importation, have not been roasted to a degree which, in the judgment of an inspector of the Department of Agriculture, will have destroyed coffee borers in all stages, (2) coffee berries or fruits, and (3) coffee plants and leaves, on account of an injurious coffee insect known as the coffee berry borer (*Stephanoderes* [*coffeae* Hgdn.] *hampei* Ferr.) and an injurious rust disease due to the fungus *Hemileia vastatrix* B. and Br. Provision is made for importations of samples of unroasted coffee seeds or beans and for shipments of unroasted coffee seeds or beans in transit to destinations other than Puerto Rico.

Cut flowers.—Quarantine No. 74, effective August 1, 1947: Restricts the entry of cut flowers into the continental United States, Hawaii, and Puerto Rico from foreign countries, including those in Europe, Asia, Africa, Australasia, South America, Central America, North America, and other foreign countries and islands (other than cut flowers produced in the Dominion of Canada, Labrador, Newfoundland, and the United States), except as provided in the regulations supplemental thereto.

OTHER RESTRICTIVE ORDERS

The regulation of the entry of nursery stock from foreign countries into the United States was specifically provided for in the Plant Quarantine Act. The act further provides for the similar regulation of any other class of plants or plant products when the need therefor shall be determined. The entry of the plants and plant products listed below has been brought under such regulation.

Nursery stock.—The conditions governing the entry of nursery stock and other plants and seeds from all foreign countries and localities are indicated above under "Foreign plant quarantines." (See Quarantine No. 37.)

Potatoes.—The order of December 22, 1913, and the regulations issued thereunder, revised, effective March 1, 1922, and amended, effective April 15, 1944, and May 2, 1949, restrict the importation of potatoes from all foreign countries and localities except the Dominion of Canada and Bermuda, on account of injurious potato diseases and insect pests. The importation of potatoes is now authorized from Bermuda, Canada, Cuba, the Dominican Republic, Estonia, Latvia, Spain (including the Canary Islands), and the States of Chiapas, Guanajuato, Jalisco, Queretaro, San Luis Potosi, Sonora, and Tamaulipas, and the northern territory of Baja California, Mexico.

Cotton and cotton wrappings.—The order of April 27, 1915, and the rules and regulations issued thereunder, revised effective Februaty 24, 1923, amended effective December 11, 1937, July 1, 1938, and February 2, 1945, restrict importation of cotton and cotton wrappings from all foreign countries and localities, on account of injurious insects, including the pink bollworm.

Cottonseed products.—The two orders of June 23, 1917, and the rules and regulations issued thereunder, effective July 16, 1917, amended, effective August 7, 1925, restrict the importation of cottonseed cake and meal and all other cottonseed products except oil from all foreign countries and localities, and the importation of cottonseed oil from Mexico, on account of injurious insects, including the pink bollworm: *Provided*, That these commodities which originate in and are shipped directly from the Imperial Valley, Baja California, Mexico, may enter without restriction.

Plant safeguard regulations.—These rules and regulations, revised, effective December 1, 1932, as amended effective October 1, 1949, provide safeguards for the landing or unloading for transshipment and exportation and for transportation and exportation in bond of restricted or prohibited plants and plant products when it is determined that such entry can be made without involving risk to the plant cultures of the United States and also provide for the safeguarding of such plant material at a port or within the territorial limits of the United States where entry or landing is not intended or where entry has been refused.

Rules and regulations governing the movement of plants and plant products into and out of the District of Columbia.—These rules and regulations, revised effective April 30, 1938, are promulgated under the amendment to the Plant Quarantine Act of May 31, 1920. They provide for the regulation of the movement of plants and plant products, including nursery stock, from or into the District of Columbia and for the control of injurious plant diseases and insect pests within the said District.

MISCELLANEOUS REGULATIONS

Mexican border regulations.—These regulations, effective September 8, 1942, as amended effective November 15, 1949, were promulgated under the Act approved January 31, 1942, entitled, "To provide for regulating, inspecting, cleaning, and, when necessary, disinfecting railway cars, other vehicles, and other materials entering the United States from Mexico" (56 Stat. 40; 70 U. S. C. 149), and supersede the rules and regulations prohibiting the movement of cotton and cottonseed from Mexico into the United States and governing the entry into the United States of railway cars and other vehicles, freight, express, baggage, or other materials from Mexico at border points, promulgated June 23, 1917, and amended effective January 29, 1920. They are designed to prevent the entry of the pink bollworm of cotton, which is known to exist widely in Mexico. They provide for the examination of passengers' baggage, for the disinfection of railway cars and other vehicles, freight, express, and other shipments. All fees collected for disinfecting railway cars and other vehicles are deposited in the United States Treasury as miscellaneous receipts.

The inspectors concerned in the enforcement of these regulations at border points are charged also with enforcement of restrictions on the entry of plants and plant products under various foreign plant quarantines.

Regulations governing sanitary export certification.—These regulations, revised effective July 1, 1945, were promulgated pursuant to authority granted in the Department of Agriculture Organic Act of 1944, approved September 21, 1944 (58 Stat. 724). They provide for the inspection and certification of domestic plants and plant products intended for export to countries requiring such certification. All fees collected for this service are deposited in the United States Treasury as miscellaneous receipts.

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Division of Pink Bollworm Control	L. F. Curl.
Division of Plant Disease Control	J. F. Martin.

[1] Died February 12, 1951.
[2] Died March 14, 1951.
[3] Acting in charge.

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